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JOURNAL

OF THE

INDIANA STATE SENATE

DURING THE

FIFTY-THIRD SESSION

OF THE

GENERAL ASSEMBLY,

COMMENCING THURSDAY, JANUARY 4, 1883.

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REGULAR SESSION.

---

INDIANAPOLIS:

WM. B. BURFORD, CONTRACTOR FOR PUBLIC PRINTING.

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1883.







# JOURNAL

OF THE

# SENATE OF INDIANA.

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THURSDAY MORNING.

JANUARY 4, 1883.

This being the day prescribed by the Constitution of the State of Indiana (Article IV, section 9) for the meeting of the General Assembly, Senators holding over and Senators elect met in the city of Indianapolis, in the Superior Court room, in the northeast corner of the Marion County Court House, at 10 o'clock A. M.

Lieutenant Governor Thomas Hanna called the Senate to order, after which the Senate was led in prayer by Rev. Ross Houghton.

Twenty-three Senators elected in October 1880 for the constitutional term of four years appeared and answered to their names as follows :

From the county of Vanderburgh, Wm. Rahm, Jr.

From the counties of Decatur and Shelby, Francis M. Howard.

From the counties of Floyd and Washington, Samuel B. Voyles.



From the counties of Jackson and Jennings, Jason B. Brown.

From the county of Vigo, Francis V. Bichowsky.

From the counties of Clay and Owen, Isaac M. Compton.

From the counties of Henry, Delaware and Randolph, Eugene H. Bundy.

From the counties of Boone and Clinton, Henry M. Marvin.

From the county of Montgomery, Theodore H. Ristine.

From the county of Laporte, William B. Hutchinson.

From the counties of Marshall and Fulton, William H. Davidson.

From the counties of Kosciusko and Wabash, Warren G. Sayre.

From the county of Elkhart, Daniel H. White.

From the counties of Grant and Madison, Charles L. Henry.

From the counties of Lagrange and Noble, Henry Hostetter.

From the counties of Steuben and DeKalb, Francis Macartney.

From the counties of Allen and Whitley, Robert C. Bell.

From the counties of Carroll, White and Pulaski, Jacob Keiser.

From the county of Marion, Flavius J. Van Vorhis.

From the counties of Marion, Hancock and Shelby, Simeon T. Yancey.

From the counties of Hendricks and Putnam, Simpson F. Lockridge.

From the counties of Hamilton and Tipton, Robert Graham.

From the counties of Rush, Fayette and Union, Jesse J. Spann.

Twenty-five Senators, elected last November, came forward as their districts were called and, standing in front of the Secretary's table, took the oath of office as administered by the Hon. Mr. Wood, Chief Justice of the Supreme Court of Indiana, in the following order:

From the counties of Posey and Gibson, James E. McCulloch.

From the counties of Warrick and Pike, E. P. Richardson.

From the counties of Spencer and Perry, Heber J. May.

From the counties of Crawford, Harrison and Orange, John Benz.



From the counties of Dubois, Martin and Lawrence, James H. Willard.

From the counties of Clark and Scott, David McClure.

From the county of Jefferson, James Hall.

From the counties of Franklin and Ripley, Chester R. Faulkner.

From the counties of Dearborn, Ohio and Switzerland, Columbus Johnson.

From the counties of Brown, Monroe and Bartholomew, W. C. Duncan.

From the counties of Morgan and Johnson, Gabriel M. Overstreet.

From the counties of Knox and Sullivan, Joshua Ernest.

From the counties of Parke and Vermillion, John H. Lindley.

From the county of Wayne, Dudley Foulke.

From the counties of Randolph and Delaware, M. C. Smith.

From the counties of Howard and Miami, Lewis D. Adkinson.

From the county of Tippecanoe, Francis Johnson.

From the counties of Benton, Newton and Jasper, Frederick Hoover.

From the counties of Lake and Porter, Julius W. Youche.

From the counties of St. Joseph and Starke, Marion Campbell.

From the county of Cass, Rufus Magee.

From the county of Allen, Lycurgus S. Null.

From the counties of Huntington and Wells, William J. Hilligass.

From the counties of Adams, Jay and Blackford, John M. Smith.

From the counties of Green and Daviess, Jacob F. McIntosh.

To fill a vacancy occasioned by the resignation of Senator Amos R. Owen:

From the counties of Fountain and Warren, Jackson Fleming.

To fill a vacancy occasioned by the death of Senator George H. Chapman:



From the county of Marion, William B. Fletcher.

The Lieutenant Governor having announced the Senate ready to proceed to the election of a Principal Secretary, Senator Spann placed in nomination R. B. Sears, of Vermillion county ; Senator Compton placed in nomination Albert J. Kelley, of Vigo county. The roll being called, resulted as follows :

Those voting for Mr. Sears were :

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Hostetter, Keiser, Lindley, Lockridge, Macartney, Overstreet, Ristine, Sayre, Smith of Randolph and Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 22.

Those voting for Mr. Kelley were :

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnson, Johnston, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Adams, Jay and Blackford, Voyles, Willard. Total, 28.

Mr. Kelley having received a majority of all the votes cast, was declared duly elected Secretary of the Senate.

Mr. Kelley appearing, was duly sworn into office by the Honorable Mr. Wood, Chief Justice of the Supreme Court of Indiana.

For the office of Assistant Secretary of the Senate, Senator Willard placed in nomination Harry C. Huffstetter, of Lawrence county, and Senator Bundy placed in nomination Charles F. Robbins, of Marion county. The roll being called, resulted as follows :

Those voting for Mr. Huffstetter were :

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnson, Johnston, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Adams, Jay and Blackford, Voyles and Willard. Total, 28.



Those voting for Mr. Robbins were :

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Hostetter, Keiser, Lindley, Lockridge, Macartney, Overstreet, Ristine, Sayre, Smith of Randolph and Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 22.

Mr. Huffstetter having received a majority of all the votes cast was declared elected Assistant Secretary of the Senate, who, appearing, was duly sworn in by the Hon. Mr. Wood, Chief Justice of the Supreme Court of Indiana.

Nominations for Doorkeeper being in order, Senator Brown placed in nomination the name of Vincent B. Kirk, of Marshall county.

Senator Bundy placed in nomination the name of Henry L. Gordon, of Franklin county.

The roll being called, resulted as follows:

Those voting for Mr. Kirk were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnson, Johnston, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Adams, Jay and Blackford, Voyles and Willard. Total, 28.

Those voting for Mr. Gordon were :

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Hostetter, Keiser, Lindley, Lockridge, Macartney, Overstreet, Ristine, Sayre, Smith of Randolph and Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 22.

Mr. Kirk having received a majority of all the votes cast was declared duly elected Doorkeeper for the session, who, appearing, was sworn into office by the Hon. Mr. Wood, Chief Justice of the Supreme Court of Indiana.

Senator Brown introduced the following resolution :



*Resolved*, That the rules of the last regular and special sessions of the Indiana Senate be, and are hereby, adopted for the government of the proceedings of this session of the Senate, until the Senate otherwise orders, with the exception that the words, "President of the," in line two of rule eight, be stricken out.

Mr. Bundy offered the following substitute :

*Resolved*, That the rules adopted by the Senate at its last session shall be, and are hereby, adopted as the rules for the government of the Senate at this session.

Mr. Brown moved to lay the said substitute on the table.

The ayes and nays being demanded and taken, resulted as follows :

Those voting in the affirmative were :

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnson, Johnston, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles, Willard. Total, 28.

Those voting in the negative were :

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Hostetter, Keiser, Lockridge, Lindley, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 22.

So the motion was adopted.

On motion the Lieutenant Governor appointed a committee of two, consisting of Senators Marvin and Sayre, to inform the House of Representatives that the Senate is organized and ready for business.

Mr. Brown asked and obtained unanimous consent to introduce Senate Bill No. 1, entitled :

An act to provide for the better management of the benevolent institutions, and to repeal sections 2768, 2856, 2857 and 2869 of the Revised Statutes of 1881.



Which was read a first time, and 150 copies ordered printed.

Mr. Spann moved that the bill be referred to the Committee on Judiciary, when appointed.

The ayes and nays being ordered and taken, resulted as follows:

Those who voted in the affirmative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Hostetter, Keiser, Lockridge, Lindley, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 22.

Those voting in the negative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 28.

So the motion was rejected.

On motion of Mr. Brown the bill was referred to the Committee on Benevolent Institutions, when appointed.

On motion of Mr. Voyles, it was ordered that when the Senate adjourn it be until 10 o'clock to-morrow morning.

A message was received from the House at the hands of the Principal Secretary, announcing that the House was organized and ready to proceed with legislative business.

Mr. Marvin, from the committee appointed to wait on the House of Representatives, reported that said committee had performed the duty assigned them.

Mr. Foulke obtained leave and introduced Senate Bill No. 2, to enable turnpike companies in this State to connect with turnpike roads operated in an adjoining State, which was read a first time and referred to the Committee on Roads, when appointed.



Mr. Spann offered the following resolution:

*Resolved*, That in all cases when a bill shall be reported from a committee with recommendation that it do pass, that one hundred copies of such bill shall be printed for the use of the Senate, and be laid on the desk of members.

Mr. Bell offered the following amendment:

Amend by adding the words "whenever such committee shall so recommend."

When, on motion of Mr. Brown, the resolution as amended was laid on the table.

Mr. Graham offered the following resolution:

*Resolved*, That a committee of five be appointed by the President of Senate, to report to the Senate at the earliest possible moment, the names of the Senators who shall constitute the Standing Committees of the Senate.

Mr. Brown moved to lay the resolution on the table.

The ayes and nays being demanded and taken, resulted as follows:

Those who voted in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 28.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Hostetter, Keiser, Lockridge, Lindley, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 22.

So the motion was adopted.

When, on motion, the Senate adjourned until to-morrow morning at 10 o'clock.

THOMAS HANNA,

President of the Senate.



## FRIDAY MORNING.

JANUARY 5, 1883.

Senate met at 10 o'clock, Lieutenant Governor Hanna in the Chair.

Prayer was offered by the Rev. Dr. Pearson.

The Journal of yesterday was read and approved.

Senator Bell called up resolution offered yesterday by the Senator from Elkhart.

Which was, on motion, adopted.

Senator Voyles introduced Senate Bill No. 3, entitled :

An act requiring County and Township officers to have and keep cash books.

Which was read a first time and referred to Committee on County and Township Business, when organized.

Senator Foulke introduced the following resolution :

*Resolved*, That all bills introduced into the Senate at the present session amending any previous law of this State, which has been incorporated into the Revised Statutes of the State, of 1881, shall contain not only the title of the act amended, but also a reference thereto by the number of the section or sections in which it occurs in said Revised Statutes.

Which was referred to the Committee on Rules, when appointed, on motion of Senator Brown.

Senator Van Vorhis introduced the following resolution :

*Resolved*, That from an earnest desire to show every mark of respect to the memory of the Hon. George H. Chapman, late a Senator of the State of Indiana, from the County of Marion, and President *pro tempore* of the Senate, and to manifest the high estimate entertained of his ability, his patriotism, his



public services, and his usefulness as a citizen, the hour of 3 o'clock on Thursday, January 11, be set apart as a special order, that the friends and associates of the deceased Senator may pay fitting tribute to his many virtues.

Which was adopted.

Senator Van Vorhis introduced the following resolution:

*Resolved*, That the Secretary of the Young Men's Christian Association, of this City of Indianapolis, be requested to ask a minister of the gospel to open each day's session with prayer; that the Secretary of the Senate be instructed to transmit a copy of this resolution to the Secretary of the Young Men's Christian Association.

Which was adopted.

Senator Yancey introduced the following resolution:

*Resolved*, That a special committee of five be appointed by the Chair to take into consideration such matters as may be referred to them concerning women suffrage.

Senator Bell moved to lay the resolution on the table.

Ayes and nays being demanded and taken resulted as follows:

A committee from the House appearing, requesting the attendance of the Senate in Joint Convention to hear the reading of the message of His Excellency, Governor Albert G. Porter.

Senator Brown offered the following resolution:

*Resolved*, That a committee of five be appointed to report rules for the government of the Senate, and that the Lieutenant Governor shall be a member of such committee.

Senator Spann, moved to lay the resolution on the table.

The ayes and nays being ordered and taken resulted as follows:

Those voting in the affirmative were:



Senators Bundy, Hilligass, Macartney, Spann. Total, 4.

Those voting in the negative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hoover, Hostetter, Howard, Johnson, Johnston, Keiser, Lockridge, Lindley, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Van Vorhis, Voyles, White, Willard, Yancey, Youche. Total, 45.

So the motion was rejected.

So the resolution was adopted.

The following message was received from the House, at the hands of the Principal Secretary of the House:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House is ready to receive the Senate for the purpose of hearing the Governor's Message, and the same is hereby transmitted to the Senate.

Those voting in the affirmative were:

Senators Bell, Brown, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Hilligass, Hoover, Howard, Johnston, Johnson, Magee, Marvin, McClure, McCulloch, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Voyles. Total, 27.

Those voting in the negative were:

Senators Adkinson, Benz, Bichowsky, Bundy, Fletcher, Foulke, Graham, Henry, Hill, Hostetter, Keiser, Lockridge, Lindley, Macartney, May, McIntosh, Spann, Van Vorhis, Willard, Yancey, Youche. Total, 21.

So the motion was adopted.

Senator Bell offered the following resolution:

*Resolved*, That the Senate, upon receiving notification of the



readiness of the House to receive it, do proceed to the House Chamber to receive any communication which the Governor may desire to make.

Which was adopted.

Senator Smith, of Delaware, introduced the following resolution:

*Resolved*, That the Secretary of State be requested to furnish the Senate with a certified copy of the proceedings of the General Assembly (as filed in his office) on the adoption of the amendments to the Constitution in the session of 1881; also in the adoption of the amendment during the session of 1871, known as the "Wabash and Erie Canal Amendments," and that he further certify whether the record of proceedings in the adoption of other amendments than those referred to shows that the Constitution was complied with in this provision, to-wit: "Such proposed amendments shall, with the ayes and nays thereon, be entered on their journals and referred to the next General Assembly."

Whereupon the Senate proceeded in a body to the Hall of the House of Representatives, to hear the Governor's message, and returned to the Senate Chamber.

The following communication was received from the Secretary of State, transmitting the papers in the contested election case of Richard M. Johnson *vs.* G. W. Overstreet, from the counties of Morgan and Johnson.

Senator Foulke offered the following resolution:

To amend Rule 8, by providing for a Committee on Judicial Procedure, which was referred to Committee on Judiciary, when appointed.

Senator Bell offered the following resolution:

*Resolved*, That the thanks of the Senate are hereby tendered to Mrs. Emma A. Winsor, for the manner in which the Senate Chamber was prepared for the assembling of the Senate, which was adopted.

On motion the Senate adjourned until 2 o'clock this afternoon.



## AFTERNOON SESSION.

Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

The following message was received from the House :

**MR. PRESIDENT :**

I am instructed by the House to inform the Senate that the House has passed House Bill No. 1, entitled a bill appropriating one hundred and twenty-five thousand dollars to defray the expenses of the regular session of the Fifty-third General Assembly of the State of Indiana, and other matters connected therewith, and the same is hereby transmitted to the Senate.

Senator Bell moved that the constitutional rules be suspended and the bill be read first and second times by title, and the third time by sections, and placed upon its passage.

Which was adopted.

The ayes and nays being demanded and taken resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Hostetter, Howard, Hutchinson, Johnston, Keiser, Lockridge, Macartney, Magee, Marvin, May, McClure, McCulloch, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, Yancey and Youche. Total, 44.

Those voting in the negative were :

Senators McIntosh and Willard. Total, 2.

So the bill passed.



Senator Bell offered the following amendment:

Amend title by adding and declaring an emergency clause.  
Which was adopted by unanimous consent.

The Senate resumed the consideration of the resolution pending at the noon adjournment (the one introduced by Mr. Smith of Delaware).

Mr. Brown moved to amend by striking out all after the words or figures "1881."

Senator Willard moved to refer the resolution of Mr. Smith, of Delaware, to the Committee on Judiciary.

Senator Smith, from Delaware, moved to lay the motion on the table.

The ayes and nays being ordered and taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Ernest, Fleming, Foulke, Graham, Hostetter, Keiser, Lockridge, Lindley, Macartney, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey, Youche. Total, 21.

Those voting in the negative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Smith of Jay, Voyles, Willard. Total, 27.

So the motion was rejected.

Senator Bundy offered the following amendment:

I move to amend the motion to commit to the Judiciary Committee by adding the following words: "With instructions to report thereon not later than next Wednesday."

Which was adopted.



Senator Smith offered the following resolution:

*Resolved*, That the Secretary place upon the desk of each Senator, every Monday morning; a printed calendar of business, showing the number and titles of bills, by whom introduced and when, and by a brief abstract showing the present status thereof and the action taken thereon.

Which was adopted.

Senator Campbell offered the following resolution:

*Resolved*, That the State Librarian be instructed to place upon the desk of each member of the Senate a copy of the latest Revised Statutes of this State, taking a receipt therefor from each member accepting of the book, with the understanding that the copy shall be returned at the expiration of the member's term of office: *Provided, however*, That such copy may be retained by payment of the cost price thereof.

Mr. Spann offered the following amendment:

I move to strike out the words "at the expiration of the member's term," and insert in lieu thereof, "at the end of the session."

The resolution as amended was adopted.

Senator Hilligass offered the following resolution:

*Resolved*, That the State Superintendent of Public Instruction be and is hereby requested to furnish the Senate a statement of the total amount of unloaned school funds in the several counties of the State, as shown by the records of his office.

Which, on motion, was referred to the Committee on Judiciary, when appointed.

Senator White offered the following resolution:

*Resolved*, That on requisition of the Secretary of the Senate, the State Librarian be and is directed to furnish the necessary stationery supplies for the use of the Senate Chamber, in transacting the business of the Senate, and on requisition of the Senate Chairman of the standing committees, be furnished for



the use of said committees in transacting the business of the State before them the necessary stationery supplies.

Senator Graham offered the following amendment:

“Amend by striking out the words State Librarian and inserting Secretary of State.”

Which was adopted.

Senator Foulke offered the following resolution:

*Resolved*, That the following be substituted for Senate Rule No. 28: “No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.”

Which was referred to the Committee on Rules when appointed.

Senator Spann moved that when the Senate adjourn it be until 10 o'clock on Monday, January 8, 1883.

Which was agreed to.

Senator Voyles moved to reconsider the motion made by Senator Spann.

The ayes and nays being demanded by Senators Voyles and Marvin, and being taken, resulted as follows:

Those voting in the affirmative were:

Senators Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Foulke, Hill, Hilligass, Hostetter, Howard, Hutchinson, Johnston, Lockridge, Lindley, Macartney, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Van Vorhis, Voyles and White. Total, 31.

Those voting in the negative were:

Senators Bell, Benz, Brown, Fletcher, Graham, Henry, Keiser, Magee, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Yancey and Youche. Total, 15.

So the motion to reconsider was adopted.



**Senator Voyles moved that when the Senate adjourn it adjourn to meet at 10 o'clock to-morrow morning.**

**Which was agreed to.**

**Senator Brown moved to reconsider the vote by which the resolution concerning stationery for the Senate was adopted.**

**Pending which, on motion, the Senate adjourned until Saturday, January 6, 1883.**

**THOMAS HANNA,**

**President of the Senate.**



## SATURDAY MORNING.

JANUARY 6, 1883.

Senate met at 10 o'clock, Lieutenant Governor Hanna in the Chair.

The Journal of Friday was being proceeded with, when Senator Voyles moved that the further reading of the Journal be dispensed with.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Brown, Compton, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Howard, Hutchinson, Johnston, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Van Vorhis, Voyles, Willard, Yancey, Youche. Total, 29.

Those voting in the negative were:

Senators Benz, Bundy, Campbell, Davidson, Fleming, Graham, Hostetter, Lockridge, Lindley, Overstreet, Spann. Total, 11.

So the motion prevailed, and the reading of the Journal was dispensed with.

The Lieutenant Governor laid before the Senate a petition of thirty-two Senators asking the appointment of Harry Richardson as a page.

Which is as follows:

*To Hon. Thomas Hanna, President of the Senate:*

We, the following named Senators, respectfully request you to appoint Master Harry Richardson, Page of the Senate, in addition to those you have already appointed:

Jesse J. Spann, Theo. H. Ristine, D. H. White, Warren G.



Sayre, S. F. Lockridge, M. C. Smith, Charles L. Henry, W. D. Foulke, S. B. Voyles, Wm. Rahm, Jr., R. C. Bell, John Benz, H. M. Marvin, J. M. Compton, Jason B. Brown, J. W. Youche, E. H. Bundy, R. Graham, W. H. Davidson, F. V. Bichowsky, Francis Macartney, J. Fleming, G. M. Overstreet, J. Keiser, Marion Campbell, Henry Hostetter, C. R. Faulkner, E. P. Richardson, L. D. Adkinson, A. B. White, Rufus Magee, W. B. Hutchinson.

Which was adopted.

The Lieutenant Governor, Senators Spann and Graham, from the Committee on Rules presented the following majority report:

MR. PRESIDENT:

A majority of the committee ordered to report rules for the government of the Senate, would respectfully report that they have had the same under consideration, and would recommend that the rules of the last Senate be adopted for the government of the Senate at this session.

SPANN,  
GRAHAM,  
HANNA,

Committee.

Senators Brown and Bell presented the following minority report from the Committee on Rules:

MR. PRESIDENT:

The minority of the Committee on Rules beg leave to report the following resolution:

*Resolved*, That the rules of the last regular and special sessions of the Indiana Senate be adopted as the rules for the present session of the Senate, except that the words "President of the" in line two, of rule eight (8), be stricken out, and that rule one (1) be so amended that the Senate will convene at 10 o'clock in the forenoon and 2 o'clock in the afternoon, unless



the Senate shall by motion have adjourned to some other hour appointed by such motion.

JASON B. BROWN,  
R. C. BELL,  
Committee.

Which was adopted.

Senator Foulke offered the following substitute :

I move to amend the substitute for the report of the committee by adding thereto the words, "except that Rule 28 be amended to read as follows: 'No motion or proposition on a subject different from that under consideration shall be admitted under cover of amendment.'"

Which was rejected.

The original motion as amended was adopted.

Senator Brown offered the following resolution:

*Resolved*, That the Principal Secretaries of the Senate, and all other employes or persons who may act for the Senate, shall make requisition upon the Commissioners of the Public Printing and Binding for all stationery ordered or needed for the use of the Senate, and any stationery procured elsewhere is unauthorized, and is hereby forbidden.

Which was adopted.

Senator Brown offered the following resolution:

*Resolved*, That there be appointed a committee of two, upon the part of the Senate, to serve upon the committee to be appointed by the Senate and House, to prepare joint rules for the two Houses.

Which resolution was adopted.

Whereupon, the Lieutenant Governor appointed upon said committee Senators Brown and Compton.

Senator Compton offered the following resolution:

*Resolved*, That the following named Senators be and are hereby appointed to serve on the following named standing committees of the Senate:



*On Elections.*—Senators McCulloch, Bell, Fletcher, Voyles, Sayre, Spann and Lockridge.

*On Finance.*—Senators Rahm, Magee, Willard, Davidson, Smith of Delaware, Henry and Sayre.

*On Judiciary.*—Senators Bell, Brown, Voyles, McCulloch, Graham, Bundy and Van Vorhis.

*On the Organization of Courts.*—Senators Compton, May, Faulkner, Richardson, Overstreet, Van Vorhis and Youche.

*On Education.*—Senators Johnson, Duncan, McIntosh, Ernest, White, Bichowsky and Campbell.

*On Corporations.*—Senators Magee, Hutchinson, Null, Rahm, Graham, Overstreet and Campbell.

*On Roads.*—Senators Ernest, Johnston, Hilligass, Marvin, Ristine, Hostetter and Lockridge.

*On Benevolent and Reformatory Institutions.*—Senators Marvin, Fletcher, McClure, Bell, Spann, Ristine and Yancey.

*On Agriculture.*—Senators Davidson, Hoover, Marvin, Hill, Lockridge, Smith of Delaware, and Macartney.

*On Banks.*—Senators Hutchinson, Faulkner, Benz, Johnson, Macartney, Lindley and Adkinson.

*On Public Printing.*—Senators Hilligass, Howard, Duncan, Hoover, Keiser, Bichowsky and Henry.

*On Public Building and State Library.*—Senators Willard, Smith of Jay, McClure, Hill, Adkinson, Foulke and Lindley.

*On State Prisons.*—Senators Benz, Hutchinson, Hoover, Null, Foulke, Campbell and Lindley.

*On Canals, Internal Improvements and Swamp Lands.*—Senators Hoover, Hutchinson, Null, Magee, Youche, Adkinson and Bundy.

*On Fees and Salaries.*—Senators Voyles, Howard, Brown, Richardson, Sayre, Henry and Smith of Delaware.

*On Claims and Expenditures.*—Senators Richardson, Davidson, Duncan, May, Overstreet, Hostetter and Fleming.

*On Military Affairs.*—Senators Howard, Benz, Johnston, McIntosh, Hostetter, Henry and Van Vorhis.



*On Phraseology, Titles, and Arrangement of Bills and Unfinished Business.*—Senators Smith of Jay, Faulkner, Willard, Ernest, Henry, Keiser and Foulke.

*On Federal Relations, Rights and Privileges of the Inhabitants of the State.*—Senators Faulkner, Hill, Marvin, Davidson, Lockridge, Youche and Fleming.

*On Temperance.*—Senators Fletcher, Compton, Johnson, McIntosh, Ristine, Bichowsky and Smith of Delaware.

*On County and Township Business.*—Senators Hill, McCulloch, Ernest, Hilligass, Macartney, Ristine and White.

*On Public Health, Vital and other Statistics.*—Senators McClure, Fletcher, Howard, Smith of Jay, Yancey, Van Vorhis and Fleming.

*On Insurance.*—Senators May, Benz, Willard, Compton, Spann, Graham and White.

*On Railroads.*—Senators Brown, Bell, Compton, Voyles, Spann, Graham and Yancey.

*On Mines, Mining and Manufacturing.*—Senators Compton, Johnston, Rahm, Ernest, Bundy, Keiser and Lindley.

*On Congressional Apportionment.*—Senators Null, Richardson, Johnson, Hoover, Hilligass, McClure, Hill, Overstreet, Foulke, Adkinson, Youche, Macartney and Van Vorhis.

*On Legislative Apportionment.*—Senators McIntosh, McCulloch, Faulkner, Willard, Smith of Jay, Davidson, Null, Spann, Keiser, Lindley, Yancey, Hostetter and White.

*On the Supervision and Inspection of the Journal of the Senate.*—Senators Johnston, Hutchinson, Magee, Overstreet and Youche.

*On Executive Appointments.*—Senators Duncan, Willard, Brown, McClure, Bundy, Graham and Foulke.

Which was adopted.

Senator Compton moved to reconsider the vote just taken, and lay that motion on the table.

Which motion was adopted.

On motion Senator Bundy was granted leave of absence until Monday, 10 o'clock A. M.



Senator Bell moved that the rules of the Senate be spread of record on the Senate journals.

Which motion was adopted.

Senator White offered the following resolution:

*Resolved*, That two hundred and fifty copies of the Governor's message be printed and distributed among the members of the Senate.

Senator Bundy moved to amend by inserting one thousand.

Which was adopted.

The original motion as amended was adopted.

Senator Bell moved that the President of the Senate refer the various portions of the Governor's message to the appropriate committees.

Which motion was adopted.

Senator Brown moved to take up the unfinished business pending at the last adjournment, which was the motion to reconsider the vote by which the resolution of the Senator from Elkhart was adopted, in reference to stationery supplies for the Senate.

Which motion was adopted.

The ayes and nays being demanded and taken resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Howard, Hutchinson, Johnson, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles, Willard.  
Total, 25.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Hostetter, Keiser, Lindley, Macartney, Over-



street, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey, Youche. Total 20.

So the motion to reconsider was adopted.

Senator Brown offered the following resolution:

*Resolved*, That the Principal and Assistant Secretaries of the Senate, and other employes or persons who may act for the Senate, shall make requisition upon the Commissioners of the Public Printing and Binding, for all stationery ordered or needed for the use of the Senate, and any stationery procured elsewhere is unauthorized and is hereby forbidden.

Senator Bundy moved to lay the resolution on the table.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Hostetter, Keiser, Lindley, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total 20.

Those voting in the negative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Howard, Hutchinson, Johnston, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 26.

So the motion to lay on the table was rejected.

The question being on the adoption of the resolution of the Senator from Jackson, the same was adopted.

So the original resolution as amended was adopted.

By order of resolution adopted by Senate, that the rules for the government of the Senate be spread upon the pages of the Journal; in pursuance thereof are the following rules adopted for the government of the Senate:



## STANDING RULES AND ORDERS FOR THE GOVERNMENT OF THE SENATE.

1. The President shall take the Chair every day precisely at 10 o'clock in the forenoon, and 2 o'clock in the afternoon, unless the Senate shall, by motion, have adjourned to some other hour appointed by such motion. He shall immediately call the Senators to order, and, on the appearance of two-thirds, shall cause the Journal of the preceding day to be read.

2. Nine Senators, with the President, or ten in his absence, having chosen a President *pro tem.*, shall be authorized to call a Senate, compel the attendance of absent Senators, make an order for their fine or censure, and may adjourn.

3. The President shall preserve order and decorum, may speak to points of order in preference to Senators, rising to his feet for that purpose; and shall decide questions of order, subject to an appeal to the Senate by any two Senators, on which appeal no Senator shall speak more than once, unless by leave of the Senate.

4. The President shall rise to put a question, but may state it sitting.

5. Questions shall be distinctly put in this form, to-wit: "As many as are of the opinion that (as the question may be) say 'Aye'," and after the affirmative voice is expressed, "As many as are of the contrary opinion, say 'No'." If the President doubts, or a division be called for, the Senate shall divide; those in the affirmative of the question shall first arise from their seats, and afterward those in the negative.

6. The President shall have a general direction of the Senate Chamber. He shall have the right to name any Senator to perform the duties of the Chair, but such substitution shall not extend beyond an adjournment. He shall have the right to name any Senator to bear messages to the House.

7. The President shall, when the Senate is equally divided, give the casting vote.



8. Twenty-nine standing committees, not to exceed seven members, shall be appointed by the Senate at the commencement of each session, viz.:

On Elections.

On Finance.

On Judiciary.

On Organization of Courts.

On Education.

On Corporations.

On Roads.

On Benevolent and Reformatory Institutions.

On Agriculture.

On Banks.

On Public Printing.

On Public Buildings and State Library.

On State Prisons.

On Canals, Internal Improvements and Swamp Lands.

On Fees and Salaries.

On Claims and Expenditures.

On Military Affairs.

On Phraseology, Arrangement of Bills and Unfinished Business.

On Federal Relations and Rights and Privileges of the Inhabitants of the State.

On Temperance.

On County and Township Business.

On Public Health, Vital and other Statistics.

On Insurance.

On Railroads.

On Mines, Mining and Manufactures.



On Congressional Apportionment, to consist of one member from each Congressional District.

On Legislative Apportionment, to consist of one member from each Congressional District.

On the Supervision and Inspection of the Journal of the Senate.

On Executive Appointments.

9. It shall be the duty of the Committee on Elections to examine and report upon the certificates and other credentials of the Senators returned to serve in the Senate, and take into consideration all petitions, documents and evidence relating to elections, which may be referred to them by the Senate, and each of the other committees shall perform such services and take into consideration all subjects and matters required of them by the Senate.

10. No committee shall sit during the sittings of the Senate without special leave.

11. All questions relating to the priority of business shall be decided without debate.

12. When any Senator is about to speak in debate, or deliver any matter to the Senate, he shall rise from his seat, respectfully address himself to the question under debate, and avoid personality. No Senator shall impeach the motives of any other Senator's vote or argument.

13. If any Senator, in speaking or otherwise, transgress the rules of the Senate, the President shall, or any Senator may, call him to order; in which case the Senator so called to order shall immediately sit down, unless permitted to explain; and the Senate shall, if appealed to, decide the case, but without debate. If there be no appeal, the decision of the Chair shall be submitted to. If the decision be in favor of the Senator, called to order, he shall be at liberty to proceed. If otherwise, and the case require it, he shall be liable to the censure of the Senate.



14. When two or more Senators happen to rise at once, the President shall name who is to speak first.

15. No Senator shall speak more than twice on the same question, without leave of the Senate, nor more than once, until every member choosing to speak has spoken.

16. While the President is putting the question, or addressing the Senate, no Senator shall walk across or out of the House, nor when a Senator is speaking shall any entertain private discourse or pass between him and the Chair.

17. No Senator shall be compelled to vote on any question in the event of which he is immediately and particularly interested, or in any case where he was not present when the question was put, but appearing afterward, he may, by permission, have his name called and vote, provided his vote does not change the result.

18. Upon a division and count of the Senate on any question, no Senator without the bar shall be counted.

19. Every Senator who shall be in the House when the question is put shall give his vote, unless the Senate, for special reasons, excuse him. But the question of excusing a Senator shall be decided summarily without debate.

20. When a motion is made and seconded, it shall be stated by the President; or, being in writing, it shall be handed to the Secretary, and then read aloud before debated.

21. Every motion shall be reduced to writing, if the President or any Senator desire it, indorsed by the Senator introducing it, and the name of the author announced by the Secretary before reading.

22. After a motion is stated by the President and read, it shall be deemed in the possession of the Senate, but may be withdrawn at any time before decision or amendment.

23. When a question is under debate no motion shall be received but



- 1st. To adjourn ;
- 2d. To lie on the table ;
- 3d. For the previous question ;
- 4th. To postpone indefinitely ;
- 5th. To postpone to a day certain ;
- 6th. To commit ; or,
- 7th. To amend.

Which several motions shall have precedence in the order in which they stand arranged.

24. When a question is postponed indefinitely the same shall not be acted upon during the session.

25. The previous question shall be put in this form : "Shall the main question be now put ?" It shall only be admitted when demanded by a majority of the Senators voting, and until it is decided, shall preclude all debate, and the introduction of further amendments. The main question shall be the first question in order, and its effect shall be to put an end to all debate, and bring the Senate to a direct vote on the subsidiary questions then pending, in their order, and then on the main question.

26. Motions and reports may be committed at the pleasure of the Senate.

27. Any member may call for the division of a question where the sense will admit of it.

28. No new motion or proposition shall be admitted under color of an amendment as a substitute for the motion or proposition under debate.

29. When a motion has once been made and carried in the affirmative or negative, it shall be in order for any Senator of the majority to move a reconsideration thereof, on the same or any other day during the session, but such motion can be entertained but once during the session, and when made after



the second day it shall lie over one day before being acted upon.

30. When the reading of a paper is called for, if any objection is made, it shall be decided by a vote of the Senate.

31. The unfinished business in which the Senate was engaged at the last preceding adjournment shall have the preference in the orders of the day, and no motion or any other business shall be received without special leave of the Senate until the former is disposed of.

32. If a question pending be lost by adjournment of the Senate and revived on the succeeding day, no Senator who shall have spoken twice on the preceding day shall be permitted to speak without leave.

33. Petitions, memorials, and other papers addressed to the Senate may be presented by the President or by any Senator.

34. A motion to adjourn shall always be in order, except when the previous question is pending, and shall be decided without debate. The question pending on adjournment shall be resumed on reassembling, unless otherwise ordered by the Senate.

35. It shall be in order for the Committee on Phraseology, Arrangement and Enrollment of Bills to report at any time when no question is before the Senate.

36. Every bill shall be introduced by motion on leave, or by order of the Senate.

37. Every bill shall receive three several readings in the Senate, previous to its passage, and all bills shall be dispatched as they were introduced, unless in case of urgency.

38. The first reading of a bill shall be for information, and if opposition be made to it, the question shall be: "Shall the bill be rejected?" If no opposition is made, or the question to reject is negatived, the bill shall then, if no motion be made to the contrary, be committed to a regular or select committee, or



to a committee of the whole Senate. If the bill be referred to a committee of the whole Senate, the Senate shall determine on what day it shall be considered.

39. A committee to whom a bill shall be referred may report thereon with or without amendments, and the bill, when returned, if this be on a day subsequent to its first reading, shall be on its second reading, and, after it has been read, the report of the committee shall be read, the question shall then be on concurring in the report of the committee, either with or without amendments. The President shall then state that the bill is ready for amendment or engrossment.

40. Every report of a committee upon a bill, which shall not be considered at the time of making the same, or laid on the table by a vote of the Senate, shall stand upon the general orders with a bill and entered on the Journal.

41. After commitment and report thereof to the Senate, or at any time before its passage, a bill may be recommitted.

42. No amendment, by way of a rider, shall be received to a bill on its third reading.

43. When a bill shall pass, it shall be certified by the Secretary, noting at the foot thereof the day of its passage.

44. In forming a committee of the whole Senate the President, leaving the chair, shall appoint a Chairman to preside.

45. Upon bills committed to a committee of the whole Senate, the bill shall first be read throughout by the Secretary, and then again read and debated by clauses, leaving the preamble to be last considered. The body of the bill shall not be defaced or interlined, but all amendments noting the page and line, shall be duly entered by the Secretary on a separate paper as the same shall be agreed to by the committee, and so reported to the Senate; after report the bill shall again be subject to be debated and amended by clauses before a question to engross it be taken.



46. All questions, whether in committee or in the Senate, shall be put in the order in which they are moved, except that in filling up blanks the largest sum and the longest time shall be first put.

47. No motion or proposition for a tax or charge upon the people shall be discussed the day on which it is made or offered; and every such proposition shall receive its first discussion in a committee of the whole Senate.

48. The rules of proceeding in the Senate shall be observed in a committee of the whole Senate, so far as they may be applicable, except the rule limiting the time of speaking, but no Senator shall speak twice to any question until every Senator choosing to speak shall have spoken.

49. No standing rule or order of the Senate shall be rescinded or changed without one day's notice being given of the motion therefor.

50. No Senator shall absent himself from the service of the Senate, unless he have leave, or be sick and unable to attend.

51. Each officer of the Senate, shall take an oath for the true and faithful discharge of the duties of his office, to the best of his knowledge and abilities; and shall be deemed to continue in office until another is chosen.

52. It shall be the duty of the Doorkeeper to attend the Senate during its sittings; execute all its demands and process to him given and directed; give notice of and carry all messages, either public or private, he may be required to carry; keep the Senate chamber and furniture clean and in due order, and at all times keep good and sufficient fires when the same may be necessary; when requested to call a Senator he shall do so by name, and shall exclude from the cloakroom of the Senate all persons, except the President of the Senate, Senators or persons having business with either and admitted by them, and such persons shall remain only so long as they shall be engaged in such business.



53. When a reference is made of any subject to a standing committee, the Senator introducing the same shall be a member of such committee during its deliberation thereon, but shall have no power to vote.

54. The daily order of transacting business shall be as follows, viz.:

1. Reading and correcting the Journal of the preceding day.
2. Introduction of petitions, memorials and remonstrances.
3. Reports from standing committees.
4. Reports from select committees.
5. Resolutions of the Senate.
6. Joint resolutions. Joint resolutions of the House.
7. Bills; and
8. Orders of the day.

*First.* Messages from the House requiring action on the part of the Senate.

*Second.* Bills on second reading.

*Third.* Bills on third reading; Bills of the House on *first* reading; Bills of the House on *second* reading; Bills of the House on *third* reading. *Provided*, That on Wednesday of each week the daily order of transacting business shall be as follows, viz.:

*First.* Reading and correcting the Journal of the preceding day.

*Second.* Bills on third reading; Bills of the House on *first* reading; Bills of the House on *second* reading; Bills of the House on *third* reading; and to continue from day to day until that order of business be exhausted.

*Third.* Bills on second reading.



*Fourth.* Messages from the House requiring action upon the part of the Senate.

*Fifth.* Introduction of petitions, memorials and remonstrances.

*Sixth.* Reports from standing committees.

*Seventh.* Reports from select committees.

*Eighth.* Resolutions.

*Ninth.* Joint resolutions.

*Tenth.* Bills.

This order of business shall be suspended only upon a two-third vote of the Senators present.

55. After a bill has passed, and not before, the title may be announced.

56. When a bill or joint resolution shall have failed for want of a constitutional majority, but shall have received the vote of the majority of the members present, it shall be subject to be called up in its order, at the instance of any Senator, on any subsequent day, but when it shall have failed to receive the votes of a majority of the members present, it shall only be called up again by a motion to reconsider the previous vote.

57. No smoking will be allowed in the Senate Chamber before, during or after the sittings thereof.

58. The report of committees on conference for the adjustment of differences between the two Houses shall be laid over one day before action thereon, unless two-thirds of the members of the Senate present shall otherwise order.

59. Any bill may be printed upon the order of the committee to which the same is referred, together with the report of the committee thereon, but the number printed shall not exceed one hundred.



**60. Hereafter, when the introduction of bills is in order, the list of Senators shall be called alphabetically, and each Senator when his name is called shall be permitted to introduce but one bill each time his name is so called, and the name of no Senator shall be called a second time until the entire list has been called.**

**On motion of Senator Spann the Senate adjourned until 10 o'clock on Monday.**

**THOMAS HANNA,**

**President of the Senate.**



## MONDAY MORNING.

JANUARY 8, 1883.

Senate met at 10 o'clock, Lieutenant Governor Hanna in the Chair.

The Journal of Saturday was being read, when on motion of Senator Bundy the further reading of the Journal was dispensed with.

The Lieutenant Governor laid before the Senate the following communication from the Auditor of State :

*Hon. Thomas Hanna, Lieutenant Governor:*

SIR—I have this morning caused fifty (50) copies of my annual report for 1882 to be sent to the Senate, placing one copy each on the desk of Senators. Also one copy for yourself.

Very respectfully,

E. H. WOLFE,

Auditor of State.

Senator Hutchinson offered the following resolution :

WHEREAS, There is a necessity for an additional Assistant Doorkeeper to take charge of the door at the ladies' gallery, and furthermore, there is a necessity for the employment of a competent person to take charge of the heating apparatus and regulate the same in the Senate Chamber. And there is likewise a necessity for the employment of a person to take charge of the cloak room. Also a person to assist the Postmaster, and one to act as Page under the supervision of the Doorkeeper, therefore, be it

*Resolved*, That the Doorkeeper be and is hereby directed to employ competent persons to do and perform the several duties above enumerated, and to employ such persons at a sum as reasonable as possible.



Which was adopted.

Senator Spann offered the following resolution :

WHEREAS, There have been certain statements made in the public prints of the State, and statements made by the State House Commissioners, and rumors that the contractors of the new State House building, now in process of construction, were about to throw up and abandon the contract made with the said Commissioners, thereby endangering the early completion of said building.

*Resolved*, That the President of the Senate shall appoint a committee of investigation on the part of the Senate, to consist of seven members of the Senate, four of whom shall be Democrats and three of whom shall be Republicans, who shall proceed to fully and completely inquire into the condition of said State House, the wants of the Commssioners, the demands of the contractors, and the probability of the early completion of said house, and make a full report to the Senate. And said committee is empowered to send for all necessary papers and persons to make a full and complete investigation of said matters.

The ayes and nays being called for, the vote resulted as follows: •

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Foulke, Keiser, Macartney, Overstreet, Spann, Van Vorhis, White, Yancey and Youche. Total, 13.

Those voting in the negative were :

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Hill, Hilligass, Hoover, Hutchinson, Johnston, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 24.

So the resolution was rejected.

On motion of Senator Willard the roll was called for verification of the vote.



Senator Henry announced that he was paired with Senator Johnson.

Senator Fletcher announced that he was paired with Senator Graham.

Senator Lockridge announced that he was paired with Senator Magee.

Senator Davidson asked leave of absence for Senator Hostetter, and that he is paired with him on all political questions.  
Which is granted.

Senator Spann asked leave of absence for Senator Howard, and that he was paired with him on all political questions.  
Leave of absence was granted.

Senator Voyles offered the following resolution:

*Resolved*, That a committee of three Senators be appointed to secure sufficient rooms for the accommodation of the Standing Committees of the Senate during the present session, and that such committee be and the same is empowered to make contracts touching such committee's rooms, and such contracts shall be confirmed by the Senate before the same shall become binding and effectual, and such committee shall report as soon as possible.

Which was adopted.

Senators Voyles, Yancey and Johnston were appointed on said committee.

Senator Hutchinson offered the following resolution:

*Resolved*, That the President of the Senate appoint a committee of three Senators on Mileage and Accounts of members of the Senate.

Which was adopted.

Senators Hutchinson, Fleming and Van Vorhis were appointed on said committee.

Senator Duncan offered the following resolution:



*Resolved*, That three days of the regular session of this Senate has elapsed since the election of the Doorkeeper of the Senate, and as yet said Doorkeeper has not in any way informed this body who his assistants and appointees may be, nor whether any such appointments have been made, and it is hereby ordered that the Senate inquire into the manner in which said appointments have been made, if any have been made, and direct said Doorkeeper to report to this Senate at once who his appointees and assistants are.

Which was adopted.

The following message was received from the House, at the hands of the Principal Secretary:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has concurred in the Senate joint resolution concerning the Joint Rules, and has appointed Messrs. Heffren and Frazier to act on said committee, and the same is hereby transmitted to the Senate.

Senator Adkinson introduced Senate Bill No 4, entitled:

An act to amend Section 7, of an act authorizing Boards of County Commissioners to construct gravel, macadamized or paved roads.

Which was read a first time and referred to Committee on Roads.

Senator Bell introduced Senate Bill No. 5, entitled:

An act supplemental to an act concerning the publication of the Revised Statutes of 1881, approved April 18, 1881.

Which was read a first time and referred to Committee on Revision of Statutes, when appointed.

Senator Benz introduced Senate Bill No. 6, entitled:

An act for the election and appointment of Supervisors of Highways, and prescribing certain of their duties, and those of county and township officers in relation thereto, and to repeal all laws inconsistent therewith.



Which was read a first time and referred to the Committee on Roads.

And, on motion, 150 copies were ordered printed.

Senator Bichowsky introduced Senate Bill No. 7, entitled:

An act to provide for the public schools of the State of Indiana a uniform series of text books, that shall be cheaper than those now in use.

Which was read a first time and referred to Committee on Education.

And 150 copies ordered printed.

Senator Brown introduced Senate Bill No. 8, entitled:

An act to amend section 10 of an act concerning drainage.

Which was read a first time and referred to Committee on Judiciary.

Senator Bundy introduced Senate Bill No. 9, entitled:

An act to amend sections 86 and 93, and to repeal sections 4, 47, 94, 95, 96, 97, 98, 99, 101, 102, 103, 105, 106 of an act entitled an act providing for the settlement and distribution of decedents' estates, approved April 14, 1881, and declaring an emergency therefor.

Which was read a first time and referred to the Committee on Judiciary.

Senator Campbell introduced Senate Bill No. 10, entitled:

Railroad, Freight and Passenger Tariffs, and Railroad Commission.

Which was read a first time, two hundred copies ordered printed, and referred to Committee on Railroads.

Senator Duncan introduced Senate Bill No. 11, entitled:

A bill for an act to amend sections 79 and 92 of an act entitled: An Act concerning proceedings in criminal cases, approved April 19, 1881.



Which was read a first time and referred to Committee on Judiciary.

Senator Ernest introduced Senate Bill No. 12, entitled:

An act defining the crime of false pretenses, and prescribing the punishment therefor, and repealing all laws upon the same subject.

Which was read a first time and referred to Committee on Judiciary.

Senator Faulkner introduced Senate Bill No. 13, entitled:

An act to repeal certain sections of the Revised Statutes therein named.

Which was read a first time and referred to the Committee on Judiciary.

Senator Foulke introduced Senate Bill No. 14, entitled:

An act to amend section 255 of an act concerning proceedings in civil cases.

Which was read a first time and referred to Committee on Revision of Statutes, when appointed.

Senator Henry introduced Senate Bill No. 15, entitled:

An act to repeal an act entitled "An act establishing a State Board of Health, defining its purposes, powers and duties, providing a system of registration and report of vital and sanitary statistics in connection therewith, and prescribing the duties of certain State, county, township and city officers in relation thereto, and prescribing penalties for violation of certain provisions thereof," and declaring an emergency.

Which was read a first time and referred to Committee on Vital Statistics.

Senator Hilligass introduced Senate Bill No. 16, entitled:

An act to amend sections 1781 and 1782 of an act concerning proceedings in criminal cases and repealing all laws conflicting with this act, approved April 19, 1881.

Which was read a first time and referred to Committee on Judiciary.



Senator Hutchinson introduced Senate Bill No. 17, entitled:

An act for making a contract with the city of Michigan City for constructing a sewer from the Northern Indiana State Prison and emptying into the harbor on the east side of said city.

Which was read a first time and referred to Committee on Prisons.

Senator Macartney introduced Senate Bill No. 18, entitled:

A bill for an act to discourage the keeping of useless and sheep-killing dogs, and providing penalties for the violation of any of the provisions of said act by officers and others; and, also, repealing an act to protect sheep husbandry, to regulate matters connected therewith, to provide for registering, taxing and killing dogs, approved April 13, 1881.

Which was read a first time and referred to Committee on County and Township Business.

Senator McCulloch introduced Senate Bill No. 19, entitled:

A bill for an act defining unjust discriminations on the part of owners and operators of railroads, declaring the same unlawful and prescribing the measure of damages and penalties therefor.

Which was read a first time and referred to Committee on Railroads, and 200 copies ordered printed.

Senator Overstreet introduced Senate Bill No. 20, entitled:

A bill for an act relating to the qualifications of petit jurors in the several courts of this State, and declaring an emergency.

Which was read a first time and referred to Committee on Judiciary.

On motion the Senate adjourned until 2 o'clock this P. M.



## AFTERNOON SESSION.

MONDAY, JANUARY 8, 1883.

Senate meet at 2 o'clock, Lieutenant Governor Hauna in the Chair.

The Senate being called to order, when

Senator Rahm introduced Senate Bill No. 21, entitled:

A bill for an act in relation to the lighting of cities and their inhabitants with the electric light.

Which was read a first time and referred to Committee on Corporations.

Senator Ristine introduced Senate Bill No. 22, entitled:

An act to amend section 1 (5097) of an act approved March 3, 1881, entitled "An act to amend section 7 of an act entitled 'An act authorizing Boards of County Commissioners to construct gravel, macadamized or paved roads, upon petition of a majority of resident land owners, along and adjacent to the line of any road, authorizing them to issue bonds of the county to raise money required for that purpose, and provide for the payment of such bonds by taxing land adjacent to the road, repealing all laws inconsistent herewith, and declaring an emergency,' " approved March 3, 1877.

Which was read a first time and referred to the Committee on Roads.

Senator Smith of Jay introduced Senate Bill No. 23, entitled:

A bill for "An act to amend section 220 of an act entitled 'An act concerning proceedings in criminal cases,' " approved April 19, 1881, and declaring an emergency.

Which was read a first time and referred to the Committee on Judiciary.



Senator Van Vorhis introduced Senate Bill No. 24, entitled :

An act to prevent the erection or maintenance over the rails or roadbed of any railroad within the State, of any structure or thing dangerous to human life.

Which was read a first time and referred to Committee on Railroads.

Senator Voyles introduced Senate Bill No. 25, entitled:

An act to amend sections 1 and 2 of an act entitled, "An act appropriating moneys to pay amounts due members of the Indiana Legion, and of independent companies of militia and minute men, for service rendered under orders of the Governor during the rebellion," approved March the 5th, 1881.

Senator Voyles moved that the constitutional rules be suspended.

The bill was read a first time by sections, second time by title, and considered engrossed, third time by sections, and placed upon its passage.

The yeas and nays being demanded and taken, the vote resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hoover, Howard, Hutchinson, Johnston, Keiser, Lockridge, Lindley, Macartney, Magee, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Jay, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 44.

No one voting in the negative.

So the constitutional rules were suspended, the bill was read a second time by title, a third time by sections and placed upon its passage.

The ayes and nays being taken resulted as follows:



Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hoover, Howard, Hutchinson, Johnston, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche.

No one voting in the negative.

So the bill passed.

Title adopted as read.

Senator Hutchinson, from the Committee on Mileage and Accounts, presented the following report:

Adkinson .....	150 miles
Bell.....	238 miles
Benz .....	380 miles
Bichowsky .....	144 miles
Brown.....	120 miles
Bundy.....	132 miles
Campbell .....	360 miles
Compton.....	110 miles
Davidson .....	200 miles
Duncan .....	122 miles
Ernest .....	126 miles
Faulkner .....	160 miles
Fleming .....	180 miles
Fletcher.....	— miles
Foulke .....	136 miles
Graham .....	44 miles
Henry .....	72 miles
Hill.....	188 miles
Hilligass .....	216 miles
Hoover.....	204 miles
Hostetter .....	300 miles
Howard .....	74 miles
Hutchinson .....	328 miles
Johnston.....	200 miles



Johnson.....	128 miles
Keiser.....	204 miles
Lockridge.....	80 miles
Lindley.....	202 miles
Macartney.....	350 miles
Magee.....	154 miles
Marvin.....	104 miles
May.....	468 miles
McClure.....	220 miles
McCulloch.....	314 miles
McIntosh.....	140 miles
Null.....	266 miles
Overstreet.....	42 miles
Rahm.....	364 miles
Richardson.....	240 miles
Ristine.....	90 miles
Sayre.....	180 miles
Smith, of Delaware.....	106 miles
Smith, of Jay.....	212 miles
Spann.....	80 miles
Van Vorhis.....	— miles
Voyles.....	300 miles
White.....	324 miles
Willard.....	212 miles
Yancey.....	40 miles
Youche.....	304 miles
Mr. President.....	80 miles

On motion the report of the committee was adopted by the Senate.

Senator White introduced Senate Bill No. 26, entitled :

A bill to amend sections 8 and 9 (sections 4993 and 4994 Revised Statutes) of an act entitled : "An act to establish a State Board of Health, defining its purposes, powers and duties, providing a system of registration and report of vital and sanitary statistics in connection therewith, and prescribing the duties of certain State, county, township and city officers, in relation thereto, and prescribing penalties for violation of certain provisions thereof," approved March 7, 1881, and declaring an emergency.



Which was read a first time and referred to the Committee on Public Health.

Senator Yancey introduced Senate Bill No. 27, entitled:

A bill to regulate and improve the practice of medicine in the State of Indiana, to provide penalties for the infringement of the same, and declaring an emergency.

Which was read a first time and referred to Committee on Public Health.

Senator Youche introduced Senate Bill No. 28, entitled:

An act to regulate the interest upon school and other trust funds, repealing all laws in conflict therewith, and declaring an emergency.

Which was read a first time and referred to Committee on Education.

Senator Graham introduced Senate Bill No. 29, entitled:

An act to legalize the acts and proceedings of the Boards of Trustees and other officers of the town of Westfield, Hamilton county, in the State of Indiana, and also the records of them made of their proceedings and acts since the incorporation of said town, and declaring an emergency.

Senator Graham moved that the constitutional rules be suspended, the bill read a second time by title, considered engrossed, read a third time by sections, and placed upon its passage.

The ayes and nays being taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Brown, Bundy, Campbell, Davidson, Duncan, Ernest, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hoover, Howard, Hutchinson, Johnston, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Jay, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 42.



No one voting in the negative, so the Constitutional Rules were suspended.

The bill was read a second time by title, considered, engrossed, read a third time by sections and placed upon its passage.

The roll being called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hoover, Howard, Hutchinson, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Jay, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 42.

No one voting in the negative, the bill was passed. Title adopted as read.

Senator Fletcher introduced Senate Bill No. 30, entitled:

A bill for an act requiring notice to municipal corporations by persons receiving injuries on account of any alleged negligence by such corporations within thirty days from date of such injury, before suit will lie to recover damages therefor.

Which was read a first time and referred to Committee on Corporations.

Senator Foulke introduced Senate Bill No. 31, entitled:

A bill to amend section 1 of an act supplemental to an act to establish public libraries, approved February 16, 1852, defining the powers and duties of township trustees in relation to libraries established for the benefit and use of all the inhabitants of a township, by private donation.

Which was read a first time and referred to Committee on Education.

Senator Graham introduced Senate Bill No. 32, entitled:

An act to punish persons who disclose the contents of messages or conversations sent over telephone lines.



Which was read a first time and referred to the Committee on Judiciary.

Senator Hutchinson introduced Senate Bill No. 33, entitled :  
An act relating to telephone companies and to regulate the use and rental of telephones in this State.

Which was read a first time and referred to Committee on Corporations.

Senator Macartney introduced Senate Bill No. 34, entitled :

A bill for an act to legalize the incorporation of the town of Angola, Steuben county, Indiana, and to legalize each and every official act of the several Boards of Trustees of said town, and all the officers thereof, and to legalize and make valid all by-laws, ordinances, rules, regulations and proceedings adopted by said Board of Trustees, and declaring an emergency.

Which was read a first time and referred to Committee on County and Township Business.

Senator Overstreet introduced Senate Bill No. 35, entitled :

A bill for an act to amend section 1 of an act entitled "An act concerning the taxation of certain lands and other property within the limits of cities and towns," approved April 16, 1881, and repealing all conflicting provisions.

Which was read a first time and referred to Committee on Corporations.

Senator Rahm introduced Senate Bill No. 36, entitled :

A bill for an act entitled "An act supplemental to an act entitled an act to provide for the incorporation of Street Railroad Companies", approved June 4, 1861.

Which was read a first time and referred to Committee on Corporations.

Senator Ristine introduced Senate Bill No. 37, entitled :

A bill for an act to amend section 67 of an act entitled "An



act concerning proceedings in criminal cases," approved April 19, 1881, and repealing all conflicting statutes.

Which was read a first time and referred to Committee on Judiciary.

Senator Sayre introduced Senate Bill No. 38, entitled:

A bill for an act to amend section 1 of an act entitled "An act to amend section 58, of an act entitled 'An act to repeal all general laws now in force for the incorporation of cities,' " etc.

Which was read a first time and referred to Committee on Corporations.

Senator Van Vorhis introduced Senate Bill No. 39, entitled:

A bill for an act to amend section 7 of an act entitled "An act in relation to the laying out, opening, widening, altering and vacation of streets, alleys and highways," etc.

Which was read a first time and referred to Committee on Corporations.

Senator Voyles introduced Senate Bill No. 40, entitled:

An act to amend sections 24 and 27 of an act entitled "An act concerning roads and highways," approved April 15, 1881.

Which was read a first time and referred to Committee on Roads.

Senator Yancey introduced Senate Bill No. 41, entitled:

A bill for an act to amend section 3 of an act entitled, "An act regulating the indebtedness of cities having a voting population of over sixteen thousand," etc.

Which was read a first time and referred to Committee on Corporations.

The following message was received from the House, at the hand of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the



House has passed the following joint resolution in relation to pensioning soldiers of the Mexican war, and widows of the same:

WHEREAS, Congress of the United States has not made provisions for the pensioning of the honorably discharged soldiers of the Mexican war, and the widows of the deceased soldiers of said war, therefore

*Be it resolved by the House of Representatives of the State of Indiana, the Senate concurring,* That the Senators and Representatives of the United States from the State of Indiana be, and are hereby, requested to aid in making legal provisions for the pensioning of said soldiers, and widows of said deceased soldiers.

The Lieutenant Governor laid before the Senate the following communication:

*To the Senate of the State of Indiana:*

GENTLEMEN—Under the impression taken from section 5698 of the Revised Statutes, that the law requires me to furnish the stationery for the use of the Senate and House, I have negotiated for and received propositions for furnishing the same at prices five (5) and ten (10) per cent. less than prices in the existing contract for State printing and stationery, and am now prepared to supply you with the same upon requisition from your honorable body.

Respectfully,

EMMA A. WINSOR,

State Librarian.

Which was, on motion, referred to the Committee on Public Printing.

On motion of Senator Graham, the Senate adjourned until to-morrow morning 10 o'clock.

THOMAS HANNA,

President of the Senate.



## TUESDAY MORNING.

JANUARY 9, 1883.

Senate met at 10 o'clock, Lieutenant Governor Hanna in the Chair.

Prayer was offered by the Rev. F. M. S. Taylor, Dean of St. Paul's Cathedral.

The reading of Monday's Journal was being proceeded with, when on motion of Senator Willard, the further reading of the Journal was dispensed with.

The following message was received from the House :

MR. PRESIDENT :

I am instructed by the House to inform the Senate that the Speaker has signed Enrolled House Bill No. one (1), entitled "An act appropriating one hundred and twenty-five thousand dollars to defray the expenses of the Regular Session of the Fifty-third General Assembly of the State of Indiana, and other matters connected therewith, and declaring an emergency."

Senator Brown offered the following memorial :

*To the Honorable, the Senators and Members  
of the House of Representatives of the State of Indiana :*

Your memorialist shows that he was a candidate for Congress in the Thirteenth Congressional District of the State of Indiana, at the election held therein on the Tuesday after the first Monday in November, 1882. That in said District are certain large manufacturing establishments, having engaged in them a great number of employes. These employes are for the most part poor men, depending upon their daily earnings for the support of themselves and their families. These employes were divided in political sentiment and many of them desired to vote for your memorialist for Congressman and for



the local and State ticket on which his name appeared. The proprietors of said establishments were opposed in political sentiment to your memorialist, desired his defeat, and were active and zealous supporters of his opponent in said election.

On the day of said election said manufacturing establishments were not closed, but were run and operated during the time the polls were open for voting, and their employes were notified to report for work as usual, and in case of their not doing so were threatened with discharge. Sundry of those who disregarded the notice aforesaid were discharged.

The employes therein were not, after reporting, allowed to leave and approach the precinct except in squads of ten to thirty in number, which were formed under the order and custody of the foremen in said shops, servants and agents of said proprietors, which foremen furnished the men under their charge with tickets to be voted at said election.

The political adherents of your memorialist engaged in distributing ballots with his name and those of his co-candidates for county, State and Legislative offices were not allowed to approach these employes, were ordered away from the establishments and excluded therefrom.

The consequence of this flagitious management, and carefully planned and executed maneuver was, that a solid vote was cast by the employes of such establishments, under the order and custody of their foreman and the proprietors, against your memorialist and his colleagues upon the ticket which he represented. And your memorialist represents that the Constitution of Indiana provides and requires that all elections shall be "free and equal." The laws of the State ought to carry out this provision of the organic law with certainty and safety. The employes of and in these large manufacturing establishments ought not to be in any manner disfranchised.

The employes ought to be as free in the opportunity and as equal in their right to vote as their fellow-citizens outside thereof.

Advanced in years and engrossed with the pressing engagements of his private affairs, your memorialist does not care to further carry the investigation of these evil practices than to call the attention of the legislative bodies thereto. A close judicial scrutiny of the baneful practices at said election would



necessarily involve the employes in the displeasure, perhaps further injury and oppression by their employers. It may also subject employers to hatred and suspicion on the part of their workmen. For these reasons I ask and respectfully pray that the statutes of the State may be so framed as assuredly to prevent the recurrence of such crimes against the elective franchise in future, and that some measure in the form of a criminal enactment be passed, protecting employes from this species of duress and espionage upon the electoral action, especially in the large manufactories. And, as in duty, your memorialist will ever pray.

JOHN H. WINTERBOTHAM.

Which was referred to Committee on Election.

The Chair announced that he had signed Enrolled House Bill No. 1.

Senator Voyles offered the following report on rooms:

MR. PRESIDENT:

Your committee selected to secure proper and convenient rooms for the use and accommodation of Standing Committees, beg leave to report, that after conferring with a like committee of the House, the consultation rooms of the Judges of the Supreme Court have been secured without cost, and said consultation rooms are sufficient to accommodate the Judiciary Committees of the respective Houses, by making the said Judiciary Committee meetings alternate through the several weeks of the session.

Furthermore, your committee have arranged with the proprietor of the Bates House for six large and well arranged rooms on the dining room floor. The price demanded is \$900, or \$450 on the part of each House, for the session.

These rooms in the Bates House are the most suitable rooms that we could find at reasonable rates.

The rooms are numbered 54, 56, 58, 60, 85 and 86.

We recommend the adoption and acceptance of the Bates House proposition.

VOYLES,

Chairman of Committee.



Mr. Spann moved to recommit the report to the Committee on Rooms, with instructions to report if any other propositions were offered to the committee, in regard to said rooms.

The ayes and noes being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Bundy, Ernest, Davidson, Fleming, Hill, Hilligass, Hoover, Hostetter, Howard, Lockridge, Macartney, Magee, May, McCulloch, McIntosh, Null, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Youche. Total, 28.

Those voting in the negative were:

Senators Benz, Brown, Campbell, Compton, Duncan, Fletcher, Foulke, Hutchinson, Lindley, Marvin, McClure, Rahm, Smith of Jay, Voyles, Willard, Yancey. Total, 16.

So the motion to recommit was adopted.

Senator Voyles offered the following report:

MR. PRESIDENT:

The group of committees, to-wit: Organization of Courts, Banks, Fees and Salaries, Corporations and Insurance, by their respective chairmen, have selected Horatio Fullenlove of New Albany, as Clerk of said committees.

VOYLES.

• Senator Benz offered the following report:

MR. PRESIDENT:

The chairmen of the following group of committees, to-wit: Prisons, Public Health, Temperance, Canals, etc., County and Township Business, Agriculture, etc., have selected Edward Harbison as Clerk of said committees.

BENZ.

Senator Smith of Delaware, asked leave of absence for Senator Smith of Jay, until this afternoon 3 o'clock.

Which was granted.



Senator Bell offered the following report:

MR. PRESIDENT:

The undersigned would respectfully report that, as Chairman of the Judiciary Committee, he has appointed R. L. DePuy Clerk of such committee.

R. C. BELL,  
Chairman.

Senator Foulke, from Committee on Joint Rules, offered the following report:

MR. PRESIDENT:

Your Committee on Joint Rules would respectfully report for adoption the present joint rules for conducting the two Houses of the General Assembly of the State of Indiana, with the following additional rule:

17. All bills introduced into the General Assembly amending or repealing any previous law of this State, which has been incorporated into the Revised Statutes of 1881, shall contain not only a reference to the proper section of the act amended, but also a reference thereto by the number of the section or sections in which the same occur in said Revised Statutes.

Respectfully submitted,

JASON BROWN,  
Chairman.

Which was adopted and 250 copies ordered printed.

Senator Compton introduced the following resolution:

*Resolved*, That the following named Senators be and they are hereby appointed on behalf of the Senate on the following joint standing committees.

COMPTON.



## JOINT STANDING COMMITTEES.

*On Enrolled Bills.*—Senators Ernest, Brown, Smith of Delaware.

*On Public Buildings.*—Senators Magee, Rahm, Lockridge.

*On State Library.*—Senators Duncan, May, Campbell.

*On Canal Fund.*—Senators Davidson, Hilligass, Bichowsky.

*On Claims.*—Senators Null, Johnston, Fleming.

*On Revision of the Statutes.*—Senators Smith of Jay, Richardson, May, Henry, Foulke.

Which was adopted.

Senator Bundy offered the following resolution:

WHEREAS, The Senate and House of Representatives of the United States have recently passed the measure for civil service reform, known as the Pendleton Bill. Therefore

*Resolved,* That the Senate of Indiana, hereby indorses the action of the Senators and Representatives in Congress who voted for said bill, and commends their action thereon as eminently wise, proper and just.

Which was referred to the Committee on Federal Relations.

The following message was received from the House at the hands of the Principal Secretary:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate, that the House of Representatives has passed the following Joint Resolution:

Memorializing Congress to change the Pension laws so as to equalize the pensions in regard to the disabilities incurred, and other matters connected therewith, and the same is transmitted to the Senate.



The following message was received from the Governor:

EXECUTIVE DEPARTMENT.

*To the Honorable, the President of the Senate:*

Mr. Frank H. Blackledge, my Private Secretary, is authorized to make and transmit Executive communications to the Senate.

A. G. PORTER,  
Governor.

The following messages were received from the Governor:

EXECUTIVE DEPARTMENT,  
January 9, 1883. }

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that during the session of the General Assembly he will occupy for his office room No. 59 of the Court House building, where he will receive communications from the Senate, and be pleased to receive calls from Senators.

FRANK H. BLACKLEDGE,  
Private Secretary.

EXECUTIVE DEPARTMENT,  
January 9, 1883. }

*Gentlemen of the Senate:*

I have the honor to transmit to you a copy of a letter which I have just received from the Secretary of the Treasury, and to invite your attention to the need for the early passage of an act ceding to the United States jurisdiction over certain grounds at Terre Haute and at Fort Wayne, for the purposes stated in said letter.

A. G. PORTER,  
Governor.



[COPY.]

TREASURY DEPARTMENT,  
January 6, 1883. }

HON. A. G. PORTER,

*Governor of the State of Indiana, Indianapolis, Ind.:*

SIR—I have the honor to advise you that at the last session of Congress, authority was given for the purchase of sites and the construction thereon of public buildings at Terre Haute and Fort Wayne, in your State, for use as court houses and post offices, and other federal offices. Under the law, no expenditures can be made from the appropriations for these buildings until the Legislature of the State of Indiana has passed an act ceding to the United States jurisdiction over the lands purchased as sites therefor. I have to request your good offices in obtaining the passage of such acts during the present session of the Legislature.

Very respectfully,

CHARLES J. FOLGER,

Secretary.

EXECUTIVE DEPARTMENT.  
January 9, 1883. }

*Gentlemen of the Senate:*

On the first day of the present month, pursuant to a requirement of law, I appointed a Trustee of the Indiana Hospital for the Insane, a Trustee of the Institute for the Education of the Blind, a Trustee of the Institution for the Education of the Deaf and Dumb, and a President of the Boards of Trustees of said institutions.

For a Trustee of said Hospital for the Insane, I appointed George W. Burke, of Henry county.

For a Trustee of said Institute for the Education of the Blind, I appointed J. H. Rerick, of Lagrange county.

For a Trustee of said Institution for the Education of the Deaf and Dumb, I appointed James H. Jordan, of Morgan county.



And for Superintendent of the said Boards of Trustees of said institutions, I appointed John Coburn, of Marion county.

As required by law, I now submit these appointments to the Senate for its concurrence.

A. G. PORTER,  
Governor.

Which were referred to the Committee on Federal Relations.

Senator Spann moved that the appointments presented to the Senate by Governor Porter, be referred to the Committee on Executive appointments.

Which was adopted.

Senator Marvin offered the following resolution:

WHEREAS, The people all over the State of Indiana have been building free gravel roads by taxation, thereby making travel profitable and pleasant at all times of the year; and

WHEREAS, Log haulers, and other teamsters, when the roads are new, and when the ground is wet and soft with dampness in the spring, fall and winter of the year, put on and haul over said roads *very* heavy loads of logs and other kinds of heavy loads, thereby destroying said roads and making them impassable, to the detriment and injury of the public, and there being no law now on the statute book preventing or regulating the injury of said roads by said persons; therefore be it

*Resolved*, That the Judiciary Committee be requested to report to the Senate, at its earliest convenience, if a constitutional law can be enacted by this General Assembly, regulating the travel on all gravel roads, and prevent the destruction of the same, and report by bill or otherwise.

MARVIN,  
Boone and Clinton.

Which was referred to Committee on Judiciary.

Senator Willard offered the following resolution:

*Resolved*, That the Committee on Public Buildings and State Library be and are hereby instructed to inquire into the pres-



ent condition of the New State House, and examine thoroughly the needs of the Commissioners and contractors of said building, and the probability of any completion of said building, and report to this House either by bill or otherwise; and said Committee is hereby duly empowered and authorized to send for all necessary papers and persons to accomplish a full and complete investigation of said matters.

Senator Brown moved that the further consideration of the resolution be postponed until to-morrow morning.

Which was adopted.

Senator Duncan offered the following resolution :

*Resolved*, That V. P. Kirk, the Doorkeeper of the Senate, has violated the law in failing to post up, in a conspicuous place in the Senate Hall, a list of his appointees, stating the residence of each, and the position to which each is assigned, as required by section 4978 of the Revised Statutes of 1881.

That said Doorkeeper has treated this Senate with contempt in refusing to inform this body who those appointees are, although directed by resolution of the Senate to give such information.

That said Doorkeeper has discharged O. P. McCullough, Wm. M. Waltman and Mr. Gladish from their positions of Assistant Doorkeepers, without notifying these men of any cause for their discharge or removal.

That it is charged that said Doorkeeper has acted in general bad faith with his applicants and appointees; wherefore it is hereby

*Ordered*, That this resolution be referred to the Committee on Executive Appointments, with instruction to report the facts, as to the matters herein stated, back to the Senate at the earliest possible convenience.

W. C. DUNCAN.

Which was referred to the Committee on Executive Appointments.

Senator Spann offered the following joint resolution:

WHEREAS, The 8th day of January, of each year, is known



as the anniversary of the Battle of New Orleans, and is commonly known and observed as "Saint Jackson's Day" by the true democracy of the Union; and,

WHEREAS, The Democrats of Indiana have wholly failed to observe that time-honored custom in this State; therefore, be it

*Resolved by the Senate, the House concurring therein,* That the 8th day of March, 1883, shall be set apart for the observance of that day, and in memory of the virtues and patriotism of Andrew Jackson, and that the Senator from Jackson county, the only "original, genuine, simon-pure, Jacob Townsend, sarsaparilla Democrat," is hereby invited to deliver an appropriate address at said time, in the presence of both Houses and the assembled multitude.

Which was referred to a select committee, consisting of Senator Spann.

Senator Sayre offered the following resolution:

WHEREAS, It is desired by the General Assembly, and expected by the people of this State, that a fee and salary bill shall be enacted which shall be in accord with the recently adopted amendment to the Constitution; and,

WHEREAS, The General Assembly is not in possession of sufficient facts from which a fair and judicious bill can be drawn; therefore,

*Resolved,* That the Committee on Fees and Salaries be and is hereby authorized to fully investigate the facts in relation to that subject, with authority to send for persons and papers.

SAYRE.

Senator Brown moved to refer the resolution to the Committee on Fees and Salaries.

The ayes and nays being demanded and taken, the vote resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Faulkner, Fletcher, Hilligass, Hoover, Howard, Hutchinson,



Johnston, Magee, Marvin, May, McClure, McCulloch, Null, Rahm, Richardson, Voyles, Willard. Total, 23.

Those voting in the negative were :

Senators Adkinson, Bichowsky, Bundy, Campbell, Ernest, Fleming, Foulke, Henry, Hill, Hostetter, Keiser, Lockridge, Lindley, Macartney, McIntosh, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey, Youche. Total, 24.

So the resolution to refer to the Committee on Fees and Salaries was rejected.

Senator Willard moved to lay the resolution on the table.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Compton, Faulkner, Hostetter, Howard, McClure, McCulloch, Null, Richardson, Voyles and Willard. Total, 11.

Those voting in the negative were :

Senators Adkinson, Bell, Bichowsky, Brown, Bundy, Campbell, Davidson, Duncan, Ernest, Fleming, Fletcher, Foulke, Henry, Hill, Hilligass, Hoover, Johnston, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McIntosh, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 35.

So the motion to lay the resolution on the table was rejected.

Senator Willard moved to refer the resolution to the Committee on Fees and Salaries, with instructions to report whether such power is necessary.

Pending consideration of such question, the Senate, on motion, adjourned to 2 o'clock.



## AFTERNOON SESSION.

TUESDAY EVENING, January 9, 1883.

The Senate met at two o'clock, Lieutenant Governor Hanna in the Chair.

The question was on the motion of Senator Willard to refer Senator Sayre's resolution to the Committee on Fees and Salaries, with instructions.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Compton, Duncan, Faulkner, Hilligass, Hoover, Howard, Johnston, Marvin, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles, Willard. Total, 18.

Those voting in the negative were:

Senators Adkinson, Bell, Bichowsky, Brown, Bundy, Campbell, Davidson, Ernest, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hostetter, Keiser, Lockridge, Lindley, Macartney, Magee, May, Overstreet, Ristine, Sayre, Spann, Van Vorhis, White, Yancey, Youche. Total, 29.

So the motion to refer was rejected.

The question being on the adoption of the resolution, the same was adopted.

The following message was received from the House by the hand of the Principal Clerk:

MR. PRESIDENT:

I am instructed by the House of Representatives to inform the Senate that the House has passed Senate Bill No. 25, providing for the appropriation of moneys for the payment of



members of the Indiana Legion, and of independent militia and minute men, for services rendered under orders from the Governor during the rebellion, and other matters connected therewith; and that the title stands as read.

Senator Bell introduced the following resolution:

*Resolved*, That the message of the Governor, concerning the passage of a bill ceding jurisdiction to the United States over lands purchased for public buildings, to be erected at the cities of Fort Wayne and Terre Haute, be, and the same is hereby, referred to Committee on the Judiciary.

BELL,  
Of Allen and Whitley.

Which was adopted.

Senator Foulke introduced the following resolution:

*Resolved*, That the Committee on Executive Appointments have power to send for persons and papers in reference to resolution respecting the misconduct of the present Doorkeeper of the Senate this day committed to them.

Senator Brown moved to lay the resolution on the table.

The ayes and nays being demanded and taken resulted as follows:

Those voting in the affirmative were:

Senators Bell, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Ernest, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Keiser, Lockridge, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Sayre, Smith of Jay, Van Vorhis, Willard and Yancey. Total, 31.

Those voting in the negative were:

Senators Benz, Adkinson, Duncan, Faulkner, Foulke, Graham, Henry, Hostetter, Lindley, Macartney, Overstreet, Ristine, Spann, Voyles, White and Youche. Total, 17.

So the motion was adopted.



Senator Davidson asked leave for Senator Adkinson until Monday morning next, and that he was paired with him on all political questions.

Which was granted.

Senator Marvin asked leave for Senator Lockridge until Thursday morning next, and is paired with him on all political questions.

Which was granted.

Senator Duncan moved to reconsider the vote of yesterday, instructing the Doorkeeper to employ additional help.

Senator Brown moved to lay the motion on the table.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Bell, Bichowsky, Brown, Campbell, Compton, Davidson, Ernest, Fleming, Fletcher, Foulke, Henry, Hill, Hilligass, Howard, Hutchinson, Johnston, Lockridge, Lindley, Magee, Marvin, May, McClure, Overstreet, Rahm, Ristine, Sayre, Smith of Jay, Spann, White and Yancey. Total, 30.

Those voting in the negative were:

Senators Adkinson, Benz, Duncan, Faulkner, Graham, Hoover, Hostetter, Keiser, Macartney, McCulloch, McIntosh, Null, Van Vorhis, Voyles, Willard and Youche. Total, 16.

So the motion to lay on the table was adopted.

House Joint Resolution was read a first time and referred to the Committee on Federal Relations.

Senator Voyles, from the Committee on Rooms, presented the following report:

MR. PRESIDENT:

Your special committee selected to secure convenient and comfortable rooms, for the use and accommodation of the



Standing Committees of the Senate, would respectfully report as follows, under instructions:

*First.* We conferred with a like committee, appointed by the other branch of this General Assembly, and have secured the consultation room of the Judges of the Supreme Court for the use and accommodation of the Judiciary Committees of the respective Houses, and have so arranged it, that such Judiciary Committees may meet in said room on alternate evenings in each week of the session. Said consultation room will cost nothing.

*Second.* We waited upon the proprietor of the Grand Hotel, and had him show us such rooms as we considered well adapted to the use and accommodation of committees, and he exhibited to us rooms Nos. 3, 5, 8, 10, 12 and 26, and he proposed as his minimum price to let the rooms to us at three dollars per day for each day of the session, or eighteen dollars per day for the six rooms. This would make the Grand Hotel rooms cost over one thousand dollars.

*Third.* We called upon the proprietor of the Denison House, and he exhibited to us parlors A, B, C, D and E, five in number, and first demanded \$1,000.00 for said five parlors, and then afterward reduced the proposition to \$750.00.

Then we also called upon the proprietor of the Bates House, and he exhibited to the committee six rooms or parlors, numbered 54, 56, 58, 60, 85 and 86, and proposed to furnish the same for the use and accommodation of the Standing Committees of the two Houses at the sum of \$900.00, or \$450.00 on the part of the Senate.

We report the fact to be, that the rooms at the Bates House are, in our judgment, better adapted to the use of committees than the rooms at the other places named, and in view of the fact that the House has already adopted and accepted the Bates House proposition, and in view of the fact that the Bates House proposition covers six rooms and everything furnished to completion, we recommend the acceptance of the Bates House proposition and that the House and Senate committees alternate in meeting in said rooms during the several working evenings of the session.

VOYLES,  
Chairman.



Senator Spann moved to recommit the report of the Committee on Rooms for the purpose of giving committee further time to make investigation.

Senator Van Vorhis moved to amend by instructing said committee to procure separate rooms for Senate committees.

Which amendment was accepted by Senator Spann.

The following message was received from the House at the hands of the Principal Secretary thereof:

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that he has appointed the following members to act on the Committee on Joint Standing Committees, a list of which is hereby submitted to the Senate, except a vacancy on Enrolled Bills, to be filled by the member to be elected from Floyd :

#### JOINT STANDING COMMITTEES.

*On Enrolled Bills.*—M———— of Floyd, Gordon, Mick, Gerber, Wiley, Huston.

*On State Library.*—Messrs. Aiken, Smith of Blackford, Shockney.

*On Public Buildings.*—Messrs. Spann, Whitsit, Huston.

*On Canal Fund.*—Messrs. Mutz, Peters, Smith of Lagrange.

Senator Foulke demanded the previous question, which was seconded, the question recurring on recommitting the report of the Committee on Rooms.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy Campbell, Davidson, Ernest, Fleming, Fletcher, Foulke, Henry, Hill, Hilligass, Hoover, Hostetter, Howard, Hutchinson, Keiser, Lockridge, Macartney, Magee, May, McCulloch, McIntosh, Rahm,



Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White and Youche. Total, 34.

Those voting in the negative were :

Senators Brown, Compton, Duncan, Faulkner, Graham, Johnson, Lindley, Marvin, McClure, Null, Overstreet, Smith of Jay, Voyles, Willard and Yancey. Total, 16.

So the report was recommitted.

Senator Adkinson introduced Senate Bill No. 42, entitled :

An act entitled an act requiring railroads to fence, within six months, their lines of railways, and providing penalties, etc.

Which was read a first time and referred to Committee on Railroads.

The following message was received from the House, at the hands of the Principal Clerk thereof:

**MR. PRESIDENT:**

I am further directed by the House to return for clerical correction, the Senate message relating to joint rules; where the words "to the" are omitted.

Senator Brown introduced Senate Bill No. 43, entitled :

An act to amend section 30 of an act entitled an act fixing the fees, salaries, duties and compensation of certain officers, etc., approved March 12, 1875, and declaring an emergency.

Which was read a first time and referred to Committee on Fees and Salaries.

Senator Bundy introduced Senate Bill No. 44, entitled :

A bill providing for the organization and government of State Prisons, for the appointment of a Board of Directors to have charge thereof, etc., and to repeal an act for the government of State Prisons, approved February 5, 1857, etc.

Read first time and referred to Committee on Prisons.

Senator Bundy moved that 150 copies be printed.



The ayes and nays being demanded and taken resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Foulke, Graham, Henry, Hostetter, Lockridge, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Spann, White, Youche. Total, 17.

Those voting in the negative were:

Senators Bell, Benz, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Lindley, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Smith of Jay, Van Vorhis, Voyles, Willard and Yancey. Total, 28.

So the motion was rejected.

Senator Compton introduced Senate Bill No. 45, entitled:

An act supplemental to an act to incorporate the Ohio Insurance Company, approved January 16, 1849.

Which was read a first time and referred to the Committee on Banks.

Senator Foulke asked leave of absence for Senator Bell during the afternoon, and that he was paired with him on all political questions.

Which was granted.

Senator Fletcher introduced Senate Bill No. 46, entitled:

A bill to provide for the construction of a sewer from the grounds owned by the State, at or near the Reformatory Institution for Women and Girls, so as to connect such sewer with one of the principal sewers of the city of Indianapolis.

Which was read a first time and referred to the Committee on Benevolent Institutions.

Senator Foulke introduced Senate Bill No. 47, entitled:

An act to amend an act to establish public libraries in con-



nection with the common schools, in all cities of 10,000 or more inhabitants, to define the duties and powers of Boards of School Trustees, and in relation thereto, approved March 7, 1881, and to extend the provisions of said act to all cities in this State.

Which was read a first time and referred to the Committee on Education.

Senator Hilligass introduced Senate Bill No. 48, entitled:

An act providing for the appraisement, purchase and conversion of toll roads, etc.

Read a first time and referred to Committee on Roads.

The following message was received from the House, at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has adopted the report of the Joint Committee on the subject of renting rooms at the Bates House, with the following amendment herewith annexed, and the same is hereby transmitted to the Senate.

#### AMENDMENT.

Amend by directing that the Select Committee on the subject, the Senate concurring therein, be, and they are hereby, authorized to contract, in writing, with the Proprietor of the Bates House for said committee rooms during the present session of the General Assembly, and report the same to this House.

And the following committee is appointed on the part of the House:

D. D. Moody, Chairman; Charles L. Jewett, W. Z. Wiley.

The following message was received from the House by the Principal Clerk:

MR. PRESIDENT:

I am instructed by the House to inform the Senate, that the



House has passed the following Joint Resolution in relation to pensioning soldiers of the Mexican war and widows of the same.

House Joint Resolution was read and referred to Committee on Federal Relations.

On motion of Senator Hutchinson the Senate adjourned until to-morrow morning at 10 o'clock.

THOMAS HANNA,

President of the Senate.



## WEDNESDAY MORNING.

JANUARY 10, 1883.

Senate met at 10 o'clock, Lieutenant Governor Hanna in the Chair.

Prayer was offered by the Rev. W. A. Patton, of the Sixth Presbyterian Church, Indianapolis.

The reading of Tuesday's Journal was being proceeded with when Senator Voyles moved to dispense with the further reading of the minutes.

The motion prevailed.

Senator Spann asked leave for Senator Bell untill to-morrow evening, and stated that he was paired with him on all political questions.

Senator Rahm, by unanimous consent, introduced Senate Bill No. 49,

Fixing the time for holding courts in the counties of Posey and Vanderburg.

Which was read a first time.

Senator Rahm moved that the Constitutional Rules be suspended, bill read a second time by title, considered engrossed, read a third time by sections, and placed upon its passage.

The ayes and nays being taken, resulted as follows :

Those voting in the affirmative were :

Senators, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Hostetter, Howard, Hutchinson, Johnston, Johnson, Keiser, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre,



Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 48.

None voting in the negative, so the Constitutional Rules were suspended. The bill was read a second time by title, third time by sections, and placed upon its passage.

The ayes and nays being taken, resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 47:

No one voting in the negative, so the bill passed, title adopted as read.

Senator Compton asked unanimous consent to introduce a resolution.

Objection being made, consent was not granted.

The Lieutenant Governor presented the following petition:

*To the Lieutenant Governor:*

SIR—We, the undersigned Senators, request the appointment of Arthur Moody as an additional Page for service with or under the direction of the Secretary of the Senate:

F. Macartney, F. V. Bichowsky, Eugene Bundy, J. H. Lindley, Charles L. Henry, S. F. Lockridge, William D. Foulke, D. H. White, Jesse J. Spann, John Keiser, Simeon T. Yancey, S. D. Fletcher, Marvin Campbell, Fred. Hoover, L. D. Adkinson, F. M. Howard, H. J. May (if needed), John Benz, James H. Willard, G. M. Smith, R. C. Bell, J. Fleming, Jason B. Brown, J. W. Youche, M. Marvin, C. Johnston (if needed), R. Graham, M. C. Smith, J. M. Compton, L. S. Null, John M. Smith.



Senator Yancey moved the adoption of the petition.

The ayes and nays being taken, those voting in the affirmative were:

Senators Bichowsky, Brown, Bundy, Compton, Fletcher, Graham, Henry, Hilligass, Hostetter, Howard, Keiser, Lindley, Macartney, Magee, Marvin, Null, Overstreet, Spann, Van Vorhis, Willard and Yancey. Total, 21.

Those voting in the negative were:

Senators Benz, Cambell, Davidson, Duncan, Ernest, Faulkner, Fleming, Foulke, Hill, Hilligas, Hoover, Hutchinson, Johnston, Johnson, May, McClure, McCulloch, McIntosh, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Voyles, White and Youche. Total, 25.

So the motion was rejected.

The message from the House in regard to committee rooms for the two Houses, was read and referred to the Committee on Rooms.

Senator Willard offered the following resolution:

*To the General Assembly of the State of Indiana:*

At the 26th semi-annual meeting of the Mitchell District Medical Society, held in the city of Seymour, December 27 and 28, 1882, and composed of the counties of Martin, Monroe, Brown, Bartholomew, Jennings, Jackson, Lawrence, Orange, and Washington, the following was introduced and adopted:

That, in view of the fact that the cattle plague is not confined to Texas alone, but has invaded our own State, producing great loss to one of the important industries, and the diseases familiarly known as hog cholera and trichina, have exceeded the cattle disease. In the Berlin Congress, on December 1, 1882, a law was enacted prohibiting the sale of American pork. In view of these facts, and the crippling of the great American industries (producing cattle and pork), we would respectfully ask that you make it the duty of legislative enactment, that



the State Board of Health, with all local health officers, to examine into the causes of said diseases, and means of their prevention, and that any and all facts tending to throw light on cause, or any means of prevention, be shorn of all technicality and furnished the public prints of the State.

Which petition was referred to the Committee on Public Health without reading.

The following communication was received from the Superintendent of Public Instruction.

STATE OF INDIANA, DEPARTMENT OF PUBLIC INSTRUCTION,  
SUPERINTENDENT'S OFFICE, INDIANAPOLIS, Jan. 9, 1883.

*Hon. Thomas Hanna, President of the Senate:*

SIR—Herewith I transmit to the honorable body over which you preside, the Eleventh Biennial Report of the Superintendent of Public Instruction, and have placed a copy on the desk of each Senator.

Very respectfully, yours,

JOHN M. BLOSS,  
Supt. of Pub. Inst.

Senator Faulkner, offered the following memorial:

*To the Honorable Members of the Indiana State Senate, Greeting:*

We, the undersigned, take pleasure in recommending Oliver P. McCollough, whom we present as our candidate for Door-keeper of the Senate, as a man highly deserving and eminently worthy of the important trust we ask for him. He has been a leading and zealous Democrat of Ripley county for over twenty years, and his qualifications are such that he can fill almost any position. In short, his democracy is of the Jacksonian type, and his qualifications are up to the Jefferson standard.

The democracy of Ripley would feel gratified to be repre-



sented at the door of the State Senate by a Union soldier and a true Democrat in the person of O. P. McCollough.

JEPHTHA D. NEW.

J. L. BENHAM.

ADAM STOCKINGER.

HENRY C. JONES.

JAMES B. LOYD.

THOMAS L. HUGHES, Sheriff, R. C.

JOHN H. BORGSTEDT, Deputy Sheriff.

CHAS. WHITE, JR., Dep. Treas. and Treas. elect.

WM. LESLIE, Deputy Treasurer.

MICHAEL BUSENDROF, R. R. C.

NEWT. DICKERSON, Deputy Recorder.

JOHN H. WERUKE, Auditor.

NICOLAS CORNET, Dept. Audt. and Auditor elect.

JOHN A. SPENCER, Cen. Com. Johnson Town'p.

GEO. R. GRIFFIN, Chairman Dem. Cen. Com. of Ripley County.

Senator Faulkner moved that the petition be referred to the Committee on Executive Appointments.

Senator Bundy moved to amend by having it referred to the Committee on Rights and Privileges.

Which was rejected, and the motion of Senator Faulkner was adopted.

Senator Brown presented the following claim :

INDIANAPOLIS, IND., November 5, 1878.

The State of Indiana, on account of the Hospital for the Insane, Department for Women :

To David R. Munson, Dr.

All copper cable on stack, 2 points, circuit of top, 1 down rod, \$346, and three-fold battery in ground, 346 in. at \$1 net.

Combination cable sq. steel and copper wire.

Chapel Building—

Ridge and 3 points..... 68 ft. 8 in.



Four hips and down rods.....	437 ft. 8 in.
Two chimney rods and points .....	163      8
Circuit of cornice.....	292      0
And 6 three-fold ground batteries of 120 ft. each ..	720      0

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Total.....1,682 ft.

#### Boiler House and Wings—

Ridge and 2 points.....	19 ft.
Four hips and down rods.....	328
Two ridges, and 4 cross ridges and points.....	179
Four end hips and down rods.....	249
Two chimney points.....	27
And 8 three-fold batteries of 120 ft. each.....	960

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Total ..... 1,758 ft.

#### First Tower South—

Four points and hips, circuit of cornice, 1 down rod, and 1 three-fold battery, 120 ft.....	603 ft.
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#### First Tower North—

Four points and hips, circuit of cornice, 1 down rod, and 1 three-fold battery, 120 ft.....	603 ft.
Connections between First Tower South and First Tower North on center of building.....	137 ft.

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Total ..... 1,343 ft.

#### Second Tower South—

Four points and hips, circuit of cornice, 1 down rod, and three-fold battery, 120 ft.....	474 ft.
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#### Second Tower North—

Four points and hips, circuit of cornice, 1 down rod, and three-fold battery, 120 ft.....	474 ft.
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Total..... 948 ft.



## Third Tower South—

Four points and hips, circuit of cornice, 1 down rod;  
and three-fold battery, 120 ft..... 482 ft.

## Third Tower North—

Four points and hips, circuit of cornice, 1 down rod,  
and three-fold battery, 120 ft..... 482 ft.

Total..... 964 ft.

Grand Total..... 6,695 ft.

Received payment.

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I hereby certify that the foregoing account is correct and just, and it is approved.

Indiana Hospital for the Insane, Department of Women.

Date \_\_\_\_\_, 187—.

ORPHEUS EVERTS,  
Superintendent.

Brought forward, 6,695 ft..... \$346 00

## Fourth Tower South—

Four points and hips, circuit of cornice, 1 down rod,  
and three-fold battery..... 482 ft.

## Fourth Tower North—

Four points and hips, circuit of cornice, 1 down rod,  
and three-fold battery..... 482 ft.

Total..... 964 ft.

One small tower south, 4 points, circuit of cornice, 1  
down rod and three-fold battery..... 348 ft.

Total..... 8,007 ft.

8,007 ft. comb cable at 78½c, dis. 20c, 58½c net.....\$4,684 09

54 gold XXX points at \$4.25, dis. 35c, \$3.90 net..... 200 76



Charcoal in 32 trenches, estimated 150 bu., at 10c.....	\$15 00
Extra fastenings to crestings, 25 lbs. copper wire, at 52c .....	13 00

Total.....	\$5,264 79
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Deduct ash culls sold, 4,476, at 25 cents per M.....	111 90
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Total .....	\$5,152 69
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The above measurements are as near correct as I could arrive at, and I believe them to be about correct. The points were counted, the charcoal estimated by the barrel and the copper wire accepted from Munson's account.

Very respectfully submitted,

J. H. WARDER.

Received Payment,

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I hereby certify that the foregoing account is correct and just, and it is approved.

Indiana Hospital for the Insane, Department for Women.

Date..... 187..

ORPHEUS EVERTS,

Superintendent.

Which, on motion of Senator Brown, was referred to Committee on Claims.

Senator Spann moved that the papers and depositions in the contested election case of Johnson *vs.* Overstreet, be referred to the Committee on Elections, with authority to take charge of and open the same.

Which was adopted.

Senator Compton offered the following resolution:

*Resolved*, That the Secretary and Assistant Secretary of the Senate be authorized to furnish the members of the several



committees with the necessary stationery for the transaction of the public business, upon requisition of the Chairman of the several committees.

Which was referred to Committee on Public Printing.

Senator Sayre offered the following resolution :

*Resolved*, That the Secretary of the Senate and the Chairmen of the various Standing Committees of the Senate, shall have the right to make requisition on the State Librarian for any and all needed stationery supplies for the use of the Senate and its committees, and the State Librarian is hereby directed to furnish all such supplies so required: *Provided*, Every requisition shall pass through the Assistant Secretary's hands, indorsed by him for identification, and be entered on the Journal of the proceedings of the day on which it is made, including the name of the person making the requisition.

Senator Sayre moved that it be referred to the Committee on Printing.

Senator Hilligass moved to lay the motion on the table, and demanded the previous question.

Which was rejected.

Senator Brown arose to a point of order on the above motions.

Which was sustained, and said motions declared out of order.

Senator Ristine offered the following resolution :

WHEREAS, An act of the last General Assembly provided for a survey of the Kankakee region, the appointment of an engineer, etc., and

WHEREAS, Said work has been done and the report of the Engineer has been submitted, therefore,

*Resolved by the Senate, the House of Representatives concurring*, That five hundred (500) copies of the report of John L. Campbell, Chief Engineer, upon the improvement of the Kankakee river, be printed.



Senator Yancey moved to lay the resolution on the table, which was rejected.

Senator Youche moved to amend the resolution by requiring one thousand (1,000) copies printed.

On motion of Senator Youche the resolution was referred to the Committee on Swamp Lands.

Senator Spann offered the following joint resolution :

WHEREAS, It is the pride of the American people that the American laborer is more intelligent and better paid than his foreign competitor ; and,

WHEREAS, Congress has recently appointed a commission for the revision of the tariff, and that said commission has made a report in favor of the modification of our present tariff laws, and being of the opinion that the American people should devote themselves to the welfare of America ; therefore,

*Be it Resolved by the Senate, the House of Representatives concurring therein,* That we are not in favor of a " tariff for revenue only," but are in favor of such a tariff as shall in all things discriminate in favor of the American workingman and laborer ; and we request our Senators and Congressmen from the State of Indiana to vote and work for the passage of such an act as will best secure such protection to the working classes of the United States.

Senator Willard moved that the resolution be referred to the Committee on Federal Relations.

Senator Van Vorhis moved to amend by inserting " with instructions to report on Tuesday of next week."

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Hostetter, Keiser, Lindley, Macartney, Over-



street, Ristine, Sayre, Smith of Delaware, Van Vorhis, White and Yancey. Total, 18.

Those voting in the negative were:

Senators Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles, Willard and Youche. Total, 26.

So the motion to refer with instruction was rejected.

And, on motion, the resolution was referred to the Committee on Federal Relations.

Senator Graham offered the following Joint Resolution :

*Resolved*, That the Senate of the State of Indiana, the House of Representatives concurring, does hereby congratulate the soldiers of the State of Indiana upon the election of Col. Chas. L. Doxey, a brave soldier, (who was five times wounded in defense of his country); to the position of Representative in Congress from the Ninth Congressional District.

Senator Brown offered the following as a substitute:

That the Senate deplores the defeat of Col. Thomas B. Ward in his late race for Congress; that in his defeat the public service has lost the services of an able and patriotic man.

Senator Marvin moved to lay the resolution and substitute on the table.

The ayes and nays being ordered and taken, resulted as follows :

Those voting in the affirmative were:

Senators Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Foulke, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 24.



Those voting in the negative were:

Senators Adkinson, Bundy, Campbell, Fleming, Graham, Henry, Hostetter, Keiser, Lindley, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, White and Yancey. Total, 17.

So the resolution and substitute were laid on the table.

Senator Voyles offered the following Joint Resolution:

JOINT RESOLUTION NO. —.—SENATE.

WHEREAS, 1. A tariff is but a tax upon imported goods and commodities, and such tax is to be ultimately paid by the consumers, as the importer invariably adds to the selling price the amount he has been compelled to pay to get into the American market. Being a tax to be paid by the citizen, it ought not be imposed except to raise a liberal revenue for the government.

2. A tariff for protection may justly be denounced as aiding monopoly in many cases, to the absolute detriment of all citizens not engaged in some specified and favored business.

3. A protective tariff does not increase the wages of workmen, because, if instead of passing protective laws, Congress should make specific appropriations of money to each manufacturer in the country, it is hardly to be supposed that the manufacturers would divide the sums thus given them to make up for possible profits to be otherwise made under a protective tariff with their several employes.

4. A protective tariff enables one man to prosper at the expense of his equally industrious neighbor. Such discrimination against one and in favor of another a government ought not to make. A protective tariff which protects unequally, works injustice.

5. No citizen owes this country anything beyond his part of the government necessities, and the government ought not go beyond its own rightful demands and disturb the primal law of trade which guarantees to every man the right to buy where he can buy the cheapest, and sell where he can obtain the best price.

6. A tariff which protects American manufacturers and



compels the people to pay enormous prices for that sole reason, tends to lead the people into the crime of smuggling, and those who disobey a protective law by smuggling become wealthy, and those who obey the law grow poorer, therefore be it

*Resolved by the General Assembly of the State of Indiana, That our Senators in Congress be and they are hereby instructed, and our Representatives be requested to vote and use their influence in favor of a tariff law that will give no further protection than may legitimately arise, incidentally, out of that which will operate to raise the necessary revenue for the government; and we further recommend our said Senators and Representatives to vote to remove all duty, so far as expedient, from salt and clothing, and other articles so indispensably necessary among all classes of our people.*

Senator Foulke moved to lay the Joint Resolution on the table.

The ayes and nays being demanded, pending which, on motion, the Senate adjourned until 2 o'clock this afternoon.



## AFTERNOON SESSION.

WEDNESDAY EVENING, January 10, 1883.

Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

The Senate resuming the consideration of the motion of Senator Foulke to lay the Joint Resolution of Senator Voyles on the table.

The ayes and nays being taken, resulted as follows :

Those voting in the affirmative were :

Senators Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Hostetter, Keiser, Lindley, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 20.

Those voting in the negative were :

Senators Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Howard, Hutchinson, Johnston, Magee, May, McClure, McIntosh, Null, Richardson, Smith of Jay, Voyles and Willard. Total, 17.

Which was adopted.

Senator Campbell offered the following Joint Resolution :

WHEREAS, The proceedings of this Senate have thus far during its session seemed to indicate a delightful tendency upon the part of its members to find satisfactory enjoyment in youthful sports; and,

WHEREAS, We believe that our constituency would desire, and the welfare and prosperity of the State be advanced by the fullest opportunity being afforded for the full and unrestrained enjoyment of these happy, boyish inclinations; therefore,

*Resolved*, That the State Librarian be requested, at her earli-



est practical convenience, to furnish among other articles, for the use of the members of the Senate, five hundred good and well formed marbles: *Provided, however,* that the playing of the game of "keeps" by and between members of the different political parties shall be forever prohibited, to the end that the Republican members, whose innocence and credulity, and proverbial fairness, may not have taken from them by the trickery and well-known adroitness of the Democratic members their apportionment of the said marbles.

*Resolved, further,* That the State Librarian be given discretionary power to purchase any healthful and amusing games that, in her judgment, may be well adapted to entertaining the members of this Senate: *Provided, however,* That they shall be of the highest moral tendency in their teachings, and that in the use of these moral games Republicans may be allowed and are urged to mingle freely with their Democratic colleagues, with the hope that Democratic members may be led by the gentle influence up to that high moral plane which shall so change their hearts and their love as to send them home reformed, and zealously determined to redeem their mistakes of a wasted life by helping to carry Indiana, at the next election, in the cause of Republicanism and right.

*Resolved, further,* That next Monday, the 15th inst., be set apart as a day for the discussion of the question: "Which is the greatest evil, a scolding wife or a smoking chimney?" and that the House of Representatives and the State officials be invited to meet with us, and participate in that important discussion.

Whereupon, the Chair declared the resolution out of order.

Senator Voyles, from the Special Committee on Rooms, presented the following report:

MR. PRESIDENT:

Your committee, selected to secure rooms for standing committees of the Senate, being under instructions, report accordingly as follows:

We have secured the consultation room of the Judges of the Supreme Court, free of cost, for use of the Judiciary Commit-



tees of the respective Houses, and have arranged so that the Senate Judiciary Committee may meet therein on Monday evenings, on Wednesday evenings and Friday evenings, and the House Judiciary Committee may meet therein on the other evenings of the week, Sunday excepted.

We waited upon the proprietor of the Grand Hotel, and he offered eight rooms for \$900, three of said rooms being in the third story, and one of said upstairs being small, the other five rooms being on office floor. He offered the five rooms on the office floor for \$700.

We also called at the Denison, and were shown the same parlors named in our report heretofore submitted, and the offer for them was \$700. They are good and suitable rooms.

We also again sought further propositions from the Bates House, and were tendered the exclusive use and occupancy of five rooms during the session, rooms No. 54, 56, 65, and two others equal to 65, on same (dining) floor, for \$450.

The committee of the House have arranged to take four rooms separately, not connected with the Senate rooms.

We therefore recommend the acceptance of the Bates House proposition.

Voyles, Chairman.

Senator Bundy moved to strike out that part of the report which fixes the date for the meeting of the Judiciary Committee.

Which was adopted.

The question being on the adoption of the report of the Committee, the same was adopted.

Senator Brown moved to reconsider the vote by which the report of the Committee on Rooms was adopted, and to lay that motion on the table.

Which was adopted.

Senator Voyles asked and obtained leave of absence for Senator Spann until Thursday noon, which was granted, and that he was paired with him on all political questions.



Senator Hutchinson offered Senate Bill No. 50, entitled:

An act concerning the official terms of Directors in the Northern State Prison.

Which was read a first time and referred to Committee on Prisons.

Senator Keiser introduced Senate Bill No. 51, entitled:

A bill for an act supplemental to an act entitled "An act in relation to the laying out, opening, widening, altering and vacation of streets, alleys and highways," etc., approved March 17, 1875.

Which was read a first time and referred to Committee on Corporations.

Senator Macartney offered Senate Bill No. 52, entitled:

A bill to amend sections 218, 227, and 228 of an act entitled "An act concerning taxation," approved March 29, 1881, and declaring an emergency.

Which was read a first time and referred to Committee on Judiciary.

Senator Magee offered and introduced Senate Bill No. 53, entitled:

A bill to provide for the uniform assessment of telephone companies, etc.

Which was read a first time and referred to Committee on Corporations.

Senator Marvin offered Senate Bill No. 54, entitled:

An act to license and regulate the traffic in intoxicating liquors, to suppress tippling houses, to punish public exhibitions of drunkenness, and to provide for damages resulting from the use of intoxicating liquors, to repeal all laws inconsistent therewith and to declare an emergency.

Read first time and referred to Committee on Temperance.

Senator Foulke moved that 150 copies be printed.

Which was rejected.



Senator May introduced Senate Bill No. 55, entitled:

A bill for an act to amend section 3224 (60) of the Revised Statutes of 1881, the same being an act concerning elections, and the contest thereof, approved April 21, 1881, repealing all acts in conflict therewith and declaring an emergency.

Which was read a first time and referred to Committee on Corporations.

Senator Ristine introduced Senate Bill No. 56, entitled:

A bill for an act to amend sections 86, 95, 97, 158, 159, 160, 164, 165, 175, 207 and 215, and to repeal sections 105, 157, 162 and 169 of an act entitled, "An act providing for the settlement and distribution of decedents' estates," approved April 14, 1881.

Which was read a first time and referred to Committee on Judiciary.

Senator Sayre introduced Senate Bill No. 57, entitled:

A bill to amend section 280 of an act entitled "An act concerning proceedings in civil cases," approved April 7, 1881, and declaring an emergency.

Read a first time and referred to Committee on Judiciary.

Senator Smith of Delaware, introduced Senate Bill No. 58, entitled:

An act to amend section 1 of an act entitled "An act for the regulation of weights and measures," approved April 15, 1881.

Which was read a first time and referred to Committee on Agriculture.

Senator Van Vorhis introduced Senate Bill No. 59, entitled:

A bill for an act to amend section 1 of an act entitled "An act to amend section 53 of an act entitled 'An act to repeal all general laws now in force for the incorporation of cities,' " etc., approved March 10, 1873.

Which was read a first time and referred to Committee on Corporations.

Senator White introduced Senate Bill No. 60, entitled:



A bill concerning proceedings in criminal cases, repealing section 67, of an act concerning proceedings in criminal cases, approved, April 19, 1881, and reviving all acts repealed by said section.

Which was read a first time and referred to the Committee on Judiciary.

Senator Willard introduced Senate Bill No. 61, entitled :

An act to amend section 27½, (the same being section 5866 of the Revised Statutes, 1881,) of an act, entitled "An act fixing the fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions and repealing certain laws."

Which was read a first time and referred to the Committee on Fees and Salaries.

Senator Yancey introduced Senate Bill No. 62, entitled :

A bill prohibiting certain animals from running at large in the State, providing remedies for damages done, prescribing the duties of certain officials and excepting railroads and railway companies from the provisions of this act.

Which was read a first time and referred to the Committee on Agriculture.

Senator Youche introduced Senate Bill No. 63, entitled :

An act to amend section 15 of an act entitled: "An act to provide for the incorporation of railroad companies," approved May 11, 1852, and declaring an emergency.

Which was read a first time and referred to the Committee on Judiciary.

Senator Magee introduced Senate Bill No. 64, entitled :

An act authorizing County Boards to purchase real estate to be used for county fairs.

Which was read a first time and referred to Committee on Agriculture.

Senator Bundy introduced Senate Bill No. 65, entitled :

An act to amend section 1 of an act entitled "An act



amend section 1 of an act entitled 'An act authorizing the appointment of short-hand reporters for certain Courts of Record in this State, in counties containing a population of 70,000 or more, and prescribing the duties and compensations of such reporters,' approved March 10, 1875; approved March 5, 1877; approved April 14, 1881.

Which was read a first time and referred to the Committee on Judiciary.

Senator Duncan introduced Senate Bill No. 66, entitled:

A bill for an act to amend section 2 of an act entitled "an act to amend an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865, and adding supplemental sections thereto," approved March 8, 1873, and declaring an emergency.

Which was read a first time and referred to Committee on Education.

Senator Fletcher introduced Senate Bill No. 67, entitled:

A Bill for an act authorizing municipal corporations to invest their sinking funds in Government, State and County bonds, temporarily.

Which was read a first time and referred to Committee on Judiciary.

Senator Foulke introduced Senate Bill No. 68, entitled:

An act to abolish the disability of coveture.

Which was read a first time and referred to Committee on Judiciary.

Senator Graham introduced Senate Bill No. 69, entitled:

An act to amend sections 1, 10 and 12 of an act concerning drainage, approved April 8, 1881, and declaring an emergency.



Which was read a first time and referred to Committee on Judiciary.

Senator Hilligass introduced Senate Bill No. 70, entitled:

An act to amend section 268, 2184, and section 269, 2185, of an act concerning public officers and their punishment, approved April 14, 1881.

Which was read a first time and referred to Committee on Judiciary.

Senator Johnson introduced Senate Bill No. 71, entitled:

An act providing for the cancelment of debts secured by mortgage by the sale of the mortgaged property, for the repeal of all laws in conflict therewith, and declaring an emergency.

Which was read a first time and referred to Committee on Judiciary.

Senator May introduced Senate Bill No. 72, entitled:

A bill for an act to fix the time of holding courts in the Second Judicial Circuit of the State of Indiana, prescribing the length of terms thereof, repealing all laws in conflict therewith and declaring an emergency.

Which was read a first time and referred to Committee on Organization of Courts.

Senator Van Vorhis introduced Senate Bill No. 73, entitled:

A bill for an act to amend section 9 of an act entitled "An act in relation the the laying out, opening, widening, altering and vacation of streets and alleys," approved March 17, 1875.

Which was read a first time and referred to the Committee on Judiciary.

Senator White introduced Senate Bill No. 74, entitled:

A bill for an act to authorize any manufacturing or hydraulic company to erect a dam across the St. Joseph river, in Elkhart county.

Which was read a first time and referred to the Committee on Corporations.



Senator Yancey introduced Senate Bill No. 75, entitled:

A bill for an act to amend section 71 of an act entitled "An act concerning taxation," approved March 29, 1881.

Which was read a first time and referred to the Committee on Corporations.

Senator Foulke offered the following resolution:

*Resolved*, That the Joint Committee on the Revision of the Laws be authorized to confer with the Commissioners on the revision of the statutes of Indiana in respect to bills suggested by such Commissioners for passage at the last session of the General Assembly, the consideration of which was omitted from want of time, and that said committee may report at an early period such of said bills as they may deem advisable for passage at this session of the General Assembly.

Senator Willard offered the following amendment:

By inserting after the words "by the Senate, the House of Representatives concurring therein."

Which amendment was accepted.

So the resolution, as amended, was rejected.

On motion of Senator Willard, Senate adjourned until tomorrow morning at 10 o'clock.

THOMAS HANNA,

President of the Senate.



## THURSDAY MORNING.

JANUARY 11, 1883.

Senate met at 10 o'clock, Lieutenant Governor Hanna in the Chair.

The reading of the Journal was being proceeded with, when on motion of Senator Benz the further reading of the minutes was dispensed with.

Senator Sayre offered the following petition:

*Petition to the General Assembly of Indiana:*

WHEREAS, We, the County Board of Education and Teachers of Kosciusko county, in the State of Indiana, being fully satisfied by experience and otherwise, that the fund for defraying the expenses of the County Institute, as provided in section 159 of the Indiana School Law, is entirely inadequate to meet the expenses of a well regulated Institute; and

WHEREAS, We believe that, in case the general average of teachers in attendance is a number sufficient to justify, an institute fund of one hundred dollars would greatly add to the interest of the institute and the good of the schools, as the teachers would thereby receive more competent instruction in the art and science of teaching; and

WHEREAS, We believe that this can be secured by a special act of the Legislature; therefore

*Resolved*, That we do earnestly pray the Legislature, at its biennial session, 1883, to amend the 159th section of the Indiana school law, so that it will read after the following manner:

In order to encourage teachers' institutes, the several County Auditors of the several counties shall, whenever the County Superintendent of their county shall file with the said Auditor his official statement showing that there has been held, for five days, a teachers' institute in said county, with an average attendance of twenty-five teachers, or persons preparing to be-



come such, draw his warrant in favor of said County Superintendent on the County Treasurer, for thirty-five dollars; and in case there should be an average attendance of forty teachers, or persons preparing to become such; draw his warrant in favor of said County Superintendent, on the said Treasurer, for fifty dollars; and in case there should be an average attendance of fifty-five teachers, or persons preparing to become such, then the said County Auditor shall draw his warrant on the Treasurer for one hundred dollars, for the purpose of defraying the expenses of said institute: *Provided, however,* That but one of said payments be made in the same year.

*Resolved,* That a copy of these resolutions be sent, one to our Representative, and another to the State Senator from this district.

Unanimously adopted by the Board of Education, September 1, 1882.

S. D. ANGLIN, President.

WM. EVERLY, Secretary.

Adopted by the County Institute, August 30, 1882.

S. D. ANGLIN, President.

J. P. DOLAN, Secretary.

Which was referred to Committee on Education.

Senator Hilligass, from the Committee on Printing, presented the following majority report:

MR. PRESIDENT;

Your Standing Committee on Printing, to which was referred resolutions respecting stationery and needed supplies for the use of the Senate and Senate committees, beg leave to report:

That the Secretary of the Senate has the right, under existing laws, at the direction of the Senate, to purchase all stationery and supplies that may be needed by the Senate or its Standing Committees, and direct that such supplies be purchased by said Secretary under the contract made by the Bureau of Public



Printing, and that all such supplies so purchased shall conform to prices named in said contract.

W. J. HILLIGASS, Chairman,  
FRED HOOVER,  
W. C. DUNCAN,  
F. M. HOWARD.

Senator Henry, from the Committee on Printing, offered the following minority report:

MR. PRESIDENT:

The undersigned members of the Committee on Public Printing submit the following minority report:

The communication from the State Librarian, referred to us, shows that she has received propositions for furnishing stationery to the Senate at prices 5 and 10 per cent. lower than prices in the contract with the State Printer, and is now prepared to furnish the same to the Senate. And that sections 5574 and 5575 of the Revised Statutes of 1881 do not authorize a contract with the Public Printer for furnishing stationery to the General Assembly. And that section 5698 of the Revised Statutes of 1881 authorizes the State Librarian to furnish such stationery.

We, therefore, recommend that the following substitute for the resolution referred to us be adopted:

J. V. KEISER,  
CHARLES L. HENRY,  
FRANCIS V. BICHOWSKY.

Senator Voyles moved that the minority report be laid upon the table.

Which was withdrawn.

Senator Brown moves the previous question, on the adoption of the majority report.

The ayes and nays being demanded and taken, resulted as follows:



Those voting in the affirmative were:

Senators Benz, Brown, Compton, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles, Willard. Total, 25.

Those voting in the negative were:

Senators Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Hostetter, Keiser, Lindley, Overstreet, Ristine, Sayre, Smith of Delaware, Van Vorhis, White, Yancey and Youche. Total, 18.

So the previous question was seconded.

Senator Spann being paired with Senator Bell, declined to vote.

The question being on the adoption of the majority report, Senator Brown moved that it be adopted.

And the same was adopted.

Senator Brown moved to reconsider the vote adopting the majority report and to lay that motion on the table.

Which was adopted.

Senator Henry asked that the leave of absence of Senator Lockridge be extended until evening, and his pair continued with the Senator from Boone.

Which was granted.

Senator Willard offered the following resolution :

WHEREAS, Robert B. Sears has been constantly aiding and assisting the several officers of the Senate in the proper and efficient discharge of their respective duties since the present General Assembly convened, and inasmuch as he will continue until next Saturday in such service, and no longer, be it

*Resolved*, That said Robert B. Sears be and he is hereby allowed by the Senate for said ten days services, sixty-five dollars.

Which was adopted.



Senator Brown presented the following report:

*To the President of the Senate:*

On behalf of the following group of committees entitled to a clerk, namely: On Finance, Education, Claims, Railroads, Benevolent and Reformative Institutions, and Federal Relations, I beg leave to report that we have selected Harry P. Rahm as such Committee Clerk.

JASON B. BROWN;

Chairman.

Senator Benz offered the following resolution:

*Resolved by the Senate,* That hereafter when Senators, officers and employes of the House are absent on leave otherwise than for sickness, they shall not be entitled to, nor receive pay for the time they are so absent.

JOHN BENZ.

Which was rejected.

Senator Ristine offered the following resolution:

*Resolved,* That the State Librarian be and is hereby directed to provide each Senate Committee room with a copy of the Revised Statutes of 1876, a copy of the Acts of 1877, and a copy of the Acts of 1879.

RISTINE.

Which was adopted.

Senator Brown offered the following resolution:

*Resolved,* That the Pages each be allowed the sum of two dollars per day for their services as such.

JASON B. BROWN.

Which was adopted.

Senator Keiser offered the following resolution:

*Resolved,* That the State Librarian be and is hereby instructed to forthwith transmit to the Senate, House Joint Resolution No. 7, introduced in the House of Representatives at the last special session of the General Assembly of the State of Indiana, on the 15th day of March, 1881.

Which was adopted.



Senator Willard moved to reconsider the vote just taken, and the ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Compton, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 26.

Those voting in the negative were:

Senators Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Hostetter, Keiser, Lindley, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 20.

So the motion to reconsider was adopted.

Senator Marvin moved to lay the resolution on the table.

The ayes and nays being demanded and taken resulted as follows:

Those voting in the affirmative were:

Senators, Benz, Brown, Compton, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 26.

Those voting in the negative were:

Senators, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Hostetter, Keiser, Lindley, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Van Vorhis, White, Yancey and Youche. Total, 19.

So the resolution to lay on the table was adopted.

Senator Magee offered the following Joint Resolution:

WHEREAS, It is reported that the Secretary of War has re-



fused to order the appropriation made at the first session of the Forty-Seventh Congress, for the improvement of the harbor at Michigan City, in this State, to be expended, and

**WHEREAS,** The improvement of said harbor by the expenditure of the appropriation heretofore made is imperatively demanded in the interest of commerce, and is of great importance to all the people of the State of Indiana; therefore, be it

*Resolved,* That the Senate, the House of Representatives concurring, request the Secretary of War to reconsider his decision in this matter and order such amount of such appropriation to be expended as will insure the commodious and safe use of said harbor for the increasing commerce of that port.

*Resolved,* That a copy of this resolution be forwarded to the Secretary of War at Washington.

Which, on motion of Senator Bundy, was referred to the Committee on Federal Relations.

The roll being called for the introduction of bills, Senator Benz introduced Senate Bill No. 76, entitled:

An act to amend section 6 of an act entitled "An act to provide for a homestead, and exempting it from sale on execution, and exempting certain personal property from attachment and sale on execution or distress for rent, and repealing all laws in conflict herewith," approved March 29, 1879.

Which was read a first time and referred to the Committee on Judiciary.

Senator Foulke introduced Senate Bill No. 77, entitled:

A bill for an act to amend section 272 of an act concerning public offenses and their punishment, approved April 14, 1881.

Which was read a first time and referred to the Committee on Elections.

Senator Magee introduced Senate Bill No. 78, entitled:

An act to amend section 2 of an act entitled "An act for the providing for the establishment of a State Bureau of Statistics



and Geology, creating the office of the Chief of such department," etc., and declaring an emergency.

Which was read a first time and referred to the Committee on Judiciary.

Senator Ristine introduced Senate Bill No. 79, entitled :

An act to amend sections 4 and 7 of an act entitled "An act providing for the establishment of a State Bureau of Statistics and Geology, creating the office of Chief of such department, defining his duties, providing for the collection of Statistics on Agriculture, Commerce, Education, Labor, Social and Sanitary Subjects, making said Chief curator of the Geological Cabinet, and appropriating money to carry out the provisions of the act," approved March 29, 1879.

Which was read a first time and referred to the Committee on Judiciary.

Senator Spann introduced Senate Bill No. 80, entitled :

An act to regulate the charges on sleeping cars.

Which was read a first time and referred to the Committee on Railroads.

Senator Howard asked leave of absence for Senator Hostetter until Monday, and that he is paired with him on all political questions.

Which was granted.

Senator Van Vorhis introduced Senate Bill No. 81, entitled :

A bill for an act to amend section 30 of an act entitled "An act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities," etc.

Which was read a first time and referred to the Committee on Judiciary.

Senator Fletcher offered the petition of R. J. Bright, E. S. Neal and John McKinney, and John W. Dodd, in reference to



furnishing material for the construction of a Hospital for the Insane.

Which was read a first time and referred to the Committee on Claims.

Senator Foulke introduced Senate Bill No. 82, entitled:

An act to amend an act concerning elections.

Which was read a first time and referred to the Committee on Elections.

Senator Yancey moved that the Doorkeeper provide a seat for Senator McClure further forward in the Senate Chamber.

Which was adopted.

Senator Foulke introduced Senate Bill No. 83, entitled:

An act to provide for the registration of all persons entitled to vote.

Which was read a first time and referred to Committee on Elections.

Senator Fletcher introduced Senate Bill No. 841, entitled:

An act defining cruelty to animals.

Which was read a first time and referred to Committee on Judiciary.

On motion, the Senate adjourned until 2 o'clock this afternoon.



## AFTERNOON SESSION.

THURSDAY AFTERNOON, January 11, 1883.

Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

Senator Spann offered the following resolution :

**WHEREAS**, There is now pending in the Senate of the United States a bill known as the bill for the relief of General Fitz John Porter, from the finding of a court martial properly organized, which found him guilty of disobedience of orders to his superior officers, thereby bringing great disaster to the cause of the Union army, and causing great loss of life, and bringing shame and disgrace to the brave and loyal men who were standing in defense of the Union ; therefore, be it

*Resolved*, That our Senators and Representatives in both Houses of Congress are hereby asked and urged to use their influence by voice and vote to defeat said measure, and the Secretary of the Senate is directed to transmit a copy of this resolution to each Congressman and Senator from Indiana.

SPANN.

Senator Voyles moved to lay the resolution on the table.

The ayes and nays being demanded and taken, resulted as follows :

Those voting in the affirmative were :

Senators Benz, Brown, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, Null, Rahm, Richardson and Smith of Jay. Total, 23.

Those voting in the negative were :

Senators Adkinson, Bichowsky, Bundy, Fleming, Graham, Henry, Hill, Keiser, Lindley, Macartney, McIntosh, Ristine,



Sayre, Van Vorhis, White, Willard, Yancey and Youche.  
Total, 17.

So the motion to lay the resolution on the table was adopted.

Senator Howard announced that he was paired with Senator Hostetter, and declined to vote.

Senator Spann announced that he was paired with Senator Bell, and declined to vote.

Senator Voyles announced that he was paired with Senator Smith of Delaware, and declined to vote.

On motion of Senator Willard a recess was taken until 8 o'clock.

The Lieutenant Governor called the Senate to order at 3 o'clock.

The doors of the Senate and galleries were thrown open to the public.

The courtesies of the floor of the Senate were extended to ex-Senator Grubbs, a colleague of Senator Chapman, deceased.

This being the hour set apart to consider the resolution offered by Senator Van Vorhis, the same was taken up and read.

Senator Van Vorhis offered the following resolution:

*Resolved*, That in the death of Senator George H. Chapman this Senate has lost an able officer and a valuable member; the people of the State a conscientious representative; the State a most useful citizen, and the Nation, a patriot and one of its bravest defenders.

VAN VORHIS.

Then eulogies were pronounced on the life and memory of Senator George H. Chapman, deceased, by Senators Van Vorhis, Willard, Spann, Fletcher, ex-Senator Grubbs, Henry, Ristine, Bundy, Graham and Brown.



The resolution was then, by a rising vote, unanimously adopted.

On motion of Senator Bundy a copy of the resolutions, signed by the proper officers of the Senate, were ordered transmitted to the family of the deceased.

On motion of Senator Brown the Senate adjourned until 10 o'clock to-morrow morning.

THOMAS HANNA,

President of the Senate.



## FRIDAY MORNING.

JANUARY 12, 1883.

The Senate met at 10 o'clock, Lieutenant Governor Hanna in the Chair.

The reading of the Journal was being proceeded with, when on motion of the Senator from Hamilton the further reading of the minutes was dispensed with.

Senator Fletcher asked to withdraw the claim of Neil & Co. from Committee on Claims and refer to the Committee on Judiciary.

Which was granted.

Senator Willard presented the following report:

The third group of committees in the Senate have appointed W. J. Turpin the clerk thereof.

WILLARD.

Senator Bichowsky asked leave of absence for Senator Rahm until Monday evening.

Which was granted.

Senator Faulkner, from the Committee on Federal Relations, presented the following report:

The Committee on Federal Relations, to whom was referred House Joint Resolution No. 1, have had the same under consideration and authorize me to report the same back and recommend its passage.

C. R. FAULKNER.

Senator Faulkner, from the Committee on Federal Relations, further reports as follows:

*To the President of the Senate:*

The committee to whom was referred the Joint Resolution in



reference to the action of the Secretary of War in refusing to order the expenditure of the appropriation made by the Forty-seventh Congress for the improvement of the harbor at Michigan City, do return said resolution with the recommendation that the same be adopted.

C. R. FAULKNER,  
Chairman.

Senator Van Vorhis offered the following resolution:

WHEREAS, The Constitution provides that any amendments to it may be proposed in either House of the General Assembly; and,

WHEREAS, The Constitution further provides that any proposed amendment or amendments, when agreed to by a majority of the members elected to each of the two Houses, shall, together with the ayes and nays thereon, be entered on the Journals and referred to the General Assembly to be chosen at the next general election; and

WHEREAS, It is known that certain amendments were under consideration in the last General Assembly; and

WHEREAS, If any proposed amendment or amendments were agreed to by a majority of the members elected to each House, such proposed amendment or amendments should be found on the Journals; therefore,

*Resolved*, That the Committee on Judiciary be instructed to examine the Journals of the House of Representatives and Senate of the last General Assembly, and report at an early day what, if any, amendment or amendments to the Constitution were proposed by that Assembly and referred to this, and are now on said Journals awaiting the action of this Senate.

VAN VORHIS.

The following message was received from the House by the hands of the Chief Clerk:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 118, in relation to the business



of the General Assembly, and the Committees and Clerks thereof, and other matters connected therewith, and the same is herewith transmitted to the Senate for its action.

S. W. EDWINS,  
Principal Clerk.

On the question as to the adoption of the resolution offered by Senator Van Vorhis, the ayes and nays were demanded and taken with the following result:

Those voting in the affirmative were:

Senators Bell, Benz, Bichowsky, Brown, Compton, Davidson, Duncan, Faulkner, Fletcher, Hill, Hilligass, Hoover, Johnston, Johnson, Magee, May, McClure, McCulloch, Null, Rahm, Richardson, Smith of Jay, Van Vorhis, Voyles, Willard, Youche. Total, 27.

Those voting in the negative were:

Senators Adkinson, Bundy, Campbell, Ernest, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Marvin, McIntosh, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, White and Johnson. Total, 21.

So the motion to refer the resolution to the Committee on Judiciary was adopted.

Senator Foulke asked leave of absence for Senator Magee, and stated that he was paired with him on all political questions until Monday noon.

Which was granted.

Senator Yancey asked leave of absence for Senator Voyles until Tuesday afternoon at 2 o'clock, and stated that he was paired with him on all political questions.

Which was granted.



The following communication from the Secretary of State was received :

STATE OF INDIANA,  
OFFICE OF SECRETARY OF STATE,  
INDIANAPOLIS, January 12, 1883. }

*To Hon. Thomas Hanna, President of the Senate:*

DEAR SIR—I herewith transmit additional papers in the contest case of Richard M. Johnson, contestor, vs. Gabriel M. Overstreet, contestee, filed in my office January 12, 1883, at 10:45 A. M.

E. R. HAWN,

Secretary of State.

Which was referred to the Committee on Elections.

Senator Spann entered notice of his protest and objection to such reference of the papers in the contested election case of Johnson vs. Overstreet.

Senator McCulloch offered the following Joint Resolution :

WHEREAS, There are now pending before the Congress of the United States various bills providing for a general bankrupt law ; and

WHEREAS, In the present prosperous condition of the business interests of the country such law is neither necessary or demanded ; therefore, be it

*Resolved by the Senate, the House concurring, That our representatives in Congress be requested, and our Senators instructed, to oppose by their votes and influence the adoption of any such law.*

McCULLOCH.

Senator Bundy moved to amend the resolution by providing for its reference to the Committee on Federal Relations.

The motion was rejected.



On the adoption of the resolution, the ayes and nays being demanded and taken, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Fletcher, Foulke, Hill, Hoover, Johnston, Macartney, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Richardson, Smith of Jay, Voyles, Willard and Yancey. Total, 26.

Those voting in the negative were:

Senators Bichowsky, Bundy, Campbell, Faulkner, Fleming, Graham, Henry, Howard, Hutchinson, Johnson, Keiser, Lockridge, Lindley, Magee, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White and Youche. Total, 21.

So the resolution was adopted.

Senator Davidson asked leave of absence for Senator Keiser till Monday noon, and stated that he was paired with him on all political questions.

Which was granted.

Senator Youche asked leave of absence for Senator McCulloch until Monday evening, and stated that he was paired with him on all political questions.

Which was granted.

Senator Willard moved, that when the Senate adjourned to-day it should adjourn to meet on next Monday at 2 o'clock P. M.

The motion was rejected.

Senator Voyles asked leave to correct title to Senate Bill No. 25 by adding the words in the title "and declaring an emergency."

Which was granted.

On motion the Senate adjourned until 2 o'clock P. M.



## AFTERNOON SESSION.

FRIDAY AFTERNOON, January 12, 1883.

Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

Senator Spann offered the following protest in the case of Johnson vs. Overstreet:

MR. PRESIDENT:

The undersigned members of the Committee on Elections find the following protest to the filing of additional cause of contest against Senator G. M. Overstreet vs. R. M. Johnson:

We hereby protest against the filing of said additional causes and papers in the Senate and their reference to said Committee on Elections—

*First.* Because such new causes and grounds for contest were not filed in the office of the County Clerk within the time prescribed by law.

*Second.* Because the filing of said papers and their reference to said Committee are wholly illegal.

*Third.* Because there was never any legal notice given to said G. M. Overstreet, the contestee, for new causes for contest of his said election as Senator.

*Fourth.* Because the said papers are not properly and legally filed in the office of the Secretary of State, and properly transmitted by him to the Senate.

*Fifth.* The Senate and said committee, on account of the failure of the contestor to comply with the statutes of Indiana, have no jurisdiction of the questions raised in said new causes of contest.

SPANN.

Which was referred to the Committee on Elections.



Senator Bundy offered the following petition :

A petition from the citizens of New Castle, Henry county, praying your honorable body to submit to the qualified voters of Indiana, at a special election, an amendment to the Constitution prohibiting the manufacture and sale of alcoholic liquors as a beverage.

Signed by 806 individuals.

Which was referred to the Committee on Temperance.

Senator Henry offered the following petition :

A petition from the citizens of Madison county, praying your honorable body to submit to the qualified voters of Indiana, at a special election, an amendment to the Constitution prohibiting the disfranchisement of any citizen on account of sex.

Signed by C. King, A. J. Reynolds and 219 others.

Which was referred to the Committee on Rights and Privileges.

Senator Henry also presented the following petition :

A petition from the citizens of Madison county, praying your honorable body to submit to the qualified voters of Indiana, at a special election, an amendment to the Constitution prohibiting the manufacture and sale of alcoholic liquors as a beverage.

Signed by C. King, A. J. Reynolds and 242 others.

Which was referred to the Committee on Temperance.

Senator Lockridge offered the following petition :

A petition from the citizens of Hendricks county, praying your honorable body to submit to the qualified voters of Indiana, at a special election, an amendment to the Constitution prohibiting the manufacture and sale of alcoholic liquors as a beverage.

Signed by Mary Jessup, Eliza H. Osborn and 119 others.

Which was referred to the Committee on Temperance.



Senator Fletcher asked leave of absence for Senator Fleming until Monday next, and stated that he was paired with him on all political questions.

Which was granted.

Senator Campbell arose to a question of privilege and offered the following resolution :

WHEREAS, John H. Winterbotham, late defeated candidate for Congress in the 13th District of this State, has memorialized this Senate, making certain suggestions in regard to legislation, and asking our consideration thereof; and

WHEREAS, Upon dates concurrent, or nearly so, with the transmission of said memorial, the said Winterbotham sent in writing to a majority of the members of the Senate language highly insulting to one of its esteemed members, the Senator from Laporte, and not stopping at that, sent the member himself a copy of the said scandalous letter, which he had sent to a majority of the members of this Senate, and together with such letter sent one to the Senator himself couched in the most ungentlemanly and insulting language, the scope of which letters, copies of which are here appended, were to brand the Senator from Laporte as a treacherous scoundrel, and asked that the Senate, by its majority, should watch with constant distrust his actions as a Senator; and

WHEREAS, We desire to express confidence in our brother Senator from Laporte, and to have it known that this body construes this insult to one of its members in his official capacity, an insult to the Senate itself; therefore

*Resolved*, That the Committee on Elections, to whom was referred the memorial, be and are hereby instructed to return the said memorial to the said Winterbotham without consideration.

CAMPBELL.

Senator Brown moved to lay the resolution on the table.

The ayes and nays being demanded and taken resulted as follows :



Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hoover, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Richardson, Smith of Jay, Voyles and Willard. Total, 24.

Those voting in the negative were:

Senators Adkinson, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Hutchinson, Keiser, Lockridge, Lindley, Macartney, Overstreet, Ristine, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 20.

Which motion to lay on the table was adopted.

Senator Sayre stated that he was paired with Senator Hilligass and declined to vote.

Senator Bichowsky stated that he was paired with Senator Rahm and declined to vote.

Senator Brown moved to reconsider and to lay that motion on the table.

The ayes and nays being demanded and taken resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hoover, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Richardson, Smith of Jay, Voyles and Willard. Total, 24.

Those voting in the negative were:

Senators Adkinson, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Hutchinson, Keiser, Lockridge, Lindley, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 20.

Which motion to reconsider and lay on the table was adopted.



Senator Spann arose to a question of privilege and offered the following resolution:

WHEREAS, The Senator from Laporte county has been charged with corruption, and the same has appeared in the public prints;

*Resolved*, That notwithstanding the indecent charges made against Senator Hutchinson by John H. Winterbotham, we regard the Senator in the highest sense an honorable gentleman, and a man who has our perfect confidence, and we desire to so express ourselves in this public manner, and denounce such charges as untrue.

This resolution was retained on the President's desk for future consideration.

The report of the Committee on Federal Relations, recommending the passage of House Joint Resolution No. 1, was taken up and adopted, and the resolution passed.

Senator Duncan introduced Senate Bill No. 85, entitled:

A bill for an act to amend section 243 (2155) of an act entitled "An act concerning public offenses and their punishment," approved April 14, 1881, and declaring an emergency.

Which was read a first time and referred to Committee on Judiciary.

Senator Fleming introduced Senate Bill No. 86, entitled:

An act to amend section 2 of an act requiring gravel roads, turnpikes and macadamized roads and plank road companies to prepare, file and have recorded in the proper Recorder's office certain annual statements, prescribing penalties for the violation of its provisions, and to repeal an act therein named, approved March 13, 1877.

Which was read a first time and referred to Committee on Roads.

Senator May, by request of Senator Rahm, introduced Senate Bill No. 87, entitled:

A bill for an act providing for the location and erection of an



additional Asylum for the Insane, and providing for the management thereof.

Which was read a first time and referred to Committee on Benevolent and Reformatory Institutions.

Senator McIntosh offered the following resolution:

WHEREAS, A resolution passed the Senate on January 8, 1883, directing the Doorkeeper to employ five additional assistants to do and perform the several duties therein named, and there being no law providing for their employment and pay, therefore be it

*Resolved*, That said employes be paid the same as other like employes to this date, and that they be forthwith discharged.

Senator Bell moved to refer the resolution to the Committee on Executive Appointments.

Senator McIntosh moved to lay that motion on the table.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Ernest, Foulke, Hutchinson, Lockridge, McCartney, McIntosh, Null, Ristine, Sayre, Smith of Jay, Van Vorhis, Voyles and Willard. Total, 14.

Those voting in the negative were:

Senators Adkinson, Bell, Brown, Duncan, Faulkner, Fleming, Fletcher, Graham, Henry, Hill, Hoover, Johnson, Lindley, Magee, Marvin, May, McClure, McCulloch, Overstreet, Richardson, Smith of Delaware, Spann, White, Yancey and Youche. Total, 25.

So the motion to lay on the table was rejected.

And the motion of Senator Bell to refer was adopted, and said resolution was referred to Committee on Executive Appointments.

Senator Ristine introduced Senate Bill No. 88, entitled:

A bill for an act to amend section 4 (3431) of an act entitled



**"An act to authorize the formation of companies for the detection and apprehension of horse thieves and other felons, and for mutual protection, and repealing all laws inconsistent therewith," approved December 21, 1865.**

Which was read a first time and referred to the Committee on County and Township Business.

The following message was received from the House by the hands of the Principal Clerk:

**MR. PRESIDENT:**

I am instructed by the House to inform the Senate that the House has passed House Joint Resolution No. 4, in relation to pensioning soldiers of the Mexican War, and other matters in relation thereto.

**S. W. EDWINS,**

Clerk of the House of Representatives.

The following message was received from the Governor:

*Gentlemen of the Senate:*

I have the honor to appoint Peter E. Hoss, of Howard county, a Trustee of the Asylum for Feeble Minded Children, subject to the consent of the Senate.

**ALBERT G. PORTER,**

Governor.

Which was referred to the Committee on Executive Appointments.

Senator Smith, of Jay, introduced Senate Bill No. 89, entitled:

An act to amend section 28 of an act entitled "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, being section 4501 of Revised Statutes of 1881.



Which was read a first time and referred to the Committee on Judiciary.

Senator Spann, by request of the Adjutant General, introduced Senate Bill No. 90, entitled :

An act providing for the appraisement and sale or exchange of unserviceable military stores, for a Board of Survey, and appraisement of such stores, for the creation of a military fund from the proceeds of such sales, directing the Treasurer of State to transfer to such military fund moneys heretofore received from the sale of military stores, authorizing the Quartermaster General to sell blank ammunition, and providing for the disposition of the money received therefor, and the manner in which such money shall be expended, and declaring an emergency.

Which was read a first time and referred to the Committee on Military Affairs.

Senator Voyles introduced Senate Bill No. 91, entitled :

An act designating a name by which the House of Refuge for the correction and reformation of juvenile offenders shall hereafter be known, providing for the appointment of Commissioners and their compensation, and prescribing their powers and duties, regulating the commitments thereto, and for the more efficient and uniform government of said institution, authorizing the Governor to commute the sentences of boys under twenty-one years, declaring the expenses of maintaining the institution shall be paid, repealing all laws in conflict with this act, and declaring an emergency.

Which was read a first time and referred to the Committee on Benevolent and Reformatory Institutions.

Senator White introduced Senate Bill No. 92, entitled :

A bill to amend section 8 of an act entitled "An act concerning elections and contest thereof," approved April 21, 1881.

Which was read a first time and referred to the Committee on Elections.



Senator Youche introduced Senate Bill No. 93, entitled :

An act to repeal an act entitled "An act to authorize aid to the construction of railroads by counties and townships taking stock in and making donations to railroad companies."

Which was read a first time and referred to the Committee on Railroads.

Senator Bell introduced Senate Bill No. 94, entitled :

An act to enable the owners of lands subject to overflow by any stream or river to reclaim and protect such lands by a system of levees with proper dikes, water gates and breakwaters, providing for the maintenance and repair of the same, making the willful injury of the same a misdemeanor, prescribing penalties for the violation thereof, and repealing all laws in conflict therewith, and declaring an emergency.

Which was read a first time and referred to the Committee on Canals and Swamp Lands.

Senator Davidson introduced Senate Bill No. 95, entitled :

A bill for an act to prohibit the sale of intoxicating liquors in certain places, and providing penalties therefor.

Which was read a first time and referred to the Committee on Temperance.

Senator Brown introduced Senate Bill No. 96, entitled :

A bill for an act legalizing the proceedings and contracts of Boards of County Commissioners in the purchase, sale or exchange of property in certain cases.

Which was read a first time and referred to the Committee on County and Township Business.

Senator Sayre moved that when the Senate do adjourn this evening that it adjourn until Monday at 2 o'clock P. M.

Which was adopted.

Senator May called up House Bill No. 118.

The bill was read a first time.

Senator May moved that the constitutional rules be suspend-



ed, the bill read a second time by title, a third time by sections and placed upon its passage.

The ayes and nays being taken resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hoover, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, Null, Overstreet, Richardson, Ristine, Sayre, Smith of Jay, Spann, Van Vorhis, White, Willard and Youche. Total, 40.

Senator Faulkner voting in the negative.

So the constitutional rules were suspended and the bill read a second time by title only, when Senator May offered the following amendment :

Motion to amend House Bill No. 118, by adding thereto the following section, to-wit :

SECTION 2. An emergency is hereby declared to exist for the immediate taking effect of this act. Therefore, the same shall be in force from and after its passage.

On motion the amendment was adopted.

The bill was then read a third time by sections and placed upon its passage.

Those voting in the affirmative were :

Senators Adkinson, Bell, Benz, Bichowsky, Campbell, Compton, Davidson, Duncan, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hoover, Hutchinson, Johnson, Keiser, Lockridge, Macartney, Magee, Marvin, May, McClure, McCulloch, Null, Overstreet, Richardson, Ristine, Smith of Jay, Spann, Van Vorhis and White. Total, 33.

Those voting in the negative were :

Senators Ernest, Faulkner, Sayre and Willard. Total, 4.

So the bill as amended passed.



Senator May moved to amend the title to House Bill No. 118 by adding thereto the words: "And declaring an emergency."

The amendment was adopted.

The title was adopted as amended and read.

Senator Bell offered the following resolution:

*Resolved*, That this Senate has heard with profound regret of the death of Honorable Thomas J. Foster, a member of the last preceding Senate of this State, that by his death the State has lost an honored and useful citizen and one who was a faithful and efficient representative of the people in the General Assemblies of which he was a member.

On motion, next Tuesday at 3 o'clock P. M. was named as the time when it should be made a special order for its consideration.

On motion the Senate adjourned.

THOMAS HANNA,

President of the Senate.



**MONDAY AFTERNOON,****JANUARY 15, 1883.**

The Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

Prayer was offered by the Reverend E. B. Rawls, Pastor of the Third Street Methodist Church, Indianapolis.

The minutes were being read, when on motion of Senator Smith, of Jay, the further reading of the Journal was dispensed with.

The President of the Senate referred the various portions of the Governor's Message to the following standing committees, to-wit:

That portion of said message which refers to State debt, receipts and expenditures, to the Committee on Finance.

That portion relating to Benevolent Institutions, to the Committee on Benevolent and Reformatory Institutions.

That portion relating to Penal and Reform Institutions, to the Committee on Benevolent and Reformatory Institutions.

That portion relating to education, to the Committee on Education.

That portion relating to agriculture, to the Committee on Agriculture.

That portion relating to mines and mining, to the Committee on Mines, Mining and Manufacturing.

That portion relating to fisheries, to the Committee on Agriculture.



That portion relating to printing, to the Committee on Public Printing.

That portion relating to geology, mines and mining, to the State Board of Health.

That portion relating to the Attorney General, to the Judiciary Committee.

That portion relating to the State militia, to the Committee on Military Affairs.

That portion relating to revision, to the Joint Committee on Revision of the Statutes.

That portion relating to the new State House, to the Committee on Public Buildings.

That portion relating to the Kankakee marsh subject, to the Committee on Canals, Internal Improvements and Swamp Lands.

That portion relating to the subject of fees and salaries, to the Committee on Fees and Salaries.

That portion relating to the subject of Constitutional amendments, to the Committee on Judiciary.

That portion relating to the subject of printing, to the Committee on Printing.

Senator Bundy asked leave of absence for Senator Henry until Wednesday, and stated that he was paired with Senator Compton on all political questions.

Which was granted.

Senator Spann offered the following resolution:

*Resolved*, That the following named persons, who assisted in the organization of the Senate, be allowed the amounts set opposite their respective names:

W. L. Taylor, as secretary *pro tem*.....\$6 00



John T. Owens, as doorkeeper.....	6 00
Levi Woodrum, as assistant doorkeeper.....	5 00
Levi Fisher, as assistant doorkeeper.....	5 00
Frank Hoffman, as doorkeeper of gallery.....	5 00

And that the President of the Senate be authorized to draw his warrant for said amounts.

This bill is correct.

THOMAS HANNA.

Which was adopted.

Senator Lindley offered a petition from Parke county, asking the submission of the prohibitory amendment, at a special election.

Signed by Anthony Dean, J. H. Hutchinson, and two hundred and six (206) other citizens of that county.

Which was referred to the Committee on Temperance.

Senator Bundy offered a petition from the citizens of Middletown, Henry county, praying your honorable body to submit to the qualified voters of Indiana an amendment to the Constitution, prohibiting the disfranchisement of any citizen on account of sex.

Signed by John R. Weaver, John W. Farrell, and one hundred and fifteen (115) other citizens.

Which was referred to the Committee on Rights and Privileges.

Senator Bundy also offered a petition from the citizens of Henry county, praying your honorable body to submit to the qualified voters of Indiana, at a *special* election, an amendment to the Constitution prohibiting the disfranchisement of any citizen on account of sex.

Signed by J. P. Dykes, John P. Miller, and two hundred and twenty-four (224) other citizens of said county.

Which was referred to the Committee on Rights and Privileges.

Senator Bundy offered a petition from legal voters of Washington township, Randolph county, praying the Senate to take such immediate action as will secure the early repassage and



submission to a vote of the people, at a special election, for their ratification or rejection, of said amendments to our State Constitution.

Signed by two hundred and forty-eight voters.

And also a petition from West River township, same county, signed by thirty-six voters, on the same subject.

Which said petitions were referred to the Committee on Temperance.

Senator Graham offered petitions from seventy-four voters of Tipton county.

Also, from twenty-nine voters of Washington township, Hamilton county.

Also, from sixty-six voters of Delaware township, Hamilton county.

All on the same subject.

Which petitions were referred to the Committee on Temperance.

Senator Van Vorhis offered a petition from Center township, Marion county, signed by eighty-six voters, on the same subject.

Which was referred to the Committee on Temperance.

Senator Sayre offered a petition from legal voters of Noble township, Wabash county, praying the Senate to take such immediate action as will secure the early repassage and submission to a vote of the people, at a special election, for their ratification or rejection, of said amendment to our State Constitution.

Signed by George R. Fast, Levi Malott, and fifty-four others.

Which was referred to the Committee on Temperance.

Senator Smith of Delaware offered the following petitions, praying the repassage and submission of the prohibitory amendment at a special election, to-wit:

One signed by thirty-two voters of Wayne township, Randolph county.



One signed by sixty-six voters of White River township, same county.

One signed by forty-six voters of West River township, same county.

One signed by thirteen voters of same township and county.

One signed by fifteen voters of Salem township, Delaware county.

One signed by sixty-two voters of same township and county.

One signed by thirty-nine voters of Union township, same county.

One signed by 146 voters of Center township, same county.

And one signed by thirty-one voters of Nettle Creek township, Randolph county.

Which were referred to the Committee on Temperance.

Senator Magee offered a petition praying the Senate for the repassage and submission of the prohibitory amendment, at a special election.

Signed by eighty-three voters of Cass county.

Which was referred to the Committee on Temperance.

Senator Faulkner offered the petition of seventy-eight voters of Metamora, Franklin county, asking the repassage and submission of the prohibitory amendment.

Which was referred to the Committee on Temperance.

Senator Spann offered petitions praying the Senate for the repassage and submission of the prohibitory amendment to an early vote of the voters of the State of Indiana :

One signed by thirty-eight voters of Brownville township, Union county.

Also, one signed by seventy-one voters of Union township, same county.

Also, one signed by thirty-nine voters of Noble township, Rush county.



Also, one signed by twenty-four voters of Orange township, Fayette county.

Which were referred to the Committee on Temperance.

Senator Macartney offered petitions praying the repassage and submission of the prohibitory amendment to the voters of the State of Indiana, as follows:

One signed by thirty-eight voters of Salem and Steuben townships, Steuben county.

Also, one signed by seventy-three voters of Albion township, Noble county.

Also, one signed by thirty-eight voters of Orange township, same county.

Also, one signed by seventy-five voters of Steuben county.

Also, one signed by twenty-six voters of Jackson township, Steuben county.

Which were referred to the Committee on Temperance.

Senator Yancey offered petitions as follows:

One signed by forty-two voters of Hanover and Union townships, of Shelby county, praying the repassage and submission of the prohibitory amendment.

Also, one on the same subject, signed by 101 voters of Vernon township, Hancock county.

Senator Adkinson offered a petition from Jackson township, Miami county, signed by 143 voters, on the same subject.

Which was referred to the Committee on Temperance.

Senator Foulke offered petitions from Wayne county, to-wit:

One from Dalton township, signed by seventy-eight voters.

Also, one from Jackson township, signed by 108 voters.

Also, one from Franklin township, signed by sixty-one voters.

Also, one from Wayne township, signed by 239 voters.

All on the same subject.

Which were referred to the Committee on Temperance.



Senator Hutchinson offered a petition from Kankakee township, Laporte county, signed by twenty-nine voters.

Also, one from Clinton township, same county, on the same subject.

Which were referred to the Committee on Temperance.

Senator Lockridge offered the following petitions, to-wit:

One from Franklin township, Putnam county, signed by forty voters.

Also, one from Liberty township, Hendricks county, signed by 179 voters.

Also, one from Belleville township, Hendricks county, signed by 170 voters.

All on the same subject.

Which were referred to the Committee on Temperance.

Senator Willard offered petitions as follows:

One signed by thirty-nine voters of Martin county, praying the repassage and submission of the prohibitory amendment.

Also, one from Dubois county on same subject, signed by forty-four voters.

Also, one on same subject, signed by twenty-six voters of Martin county.

Also, one signed by thirty voters of Halbert township, same county, on same subject.

Also, one signed by seventy-two voters of Indian Creek, Lawrence county, on same subject.

Which were referred to the Committee on Temperance.

Senator Hoover offered petitions as follows:

One from forty-three voters of Marion township, Jasper county.

Also, one signed by thirty-six voters of Newton county.

Also, one from Grant township, Benton county, signed by sixty-nine voters.



All praying the repassage and submission of the prohibitory amendment.

Which were referred to Committee on Temperance.

Senator Compton offered petitions as follows :

One from Van Buren township, Clay county, signed by seventy-eight voters, praying the repassage and submission of the prohibitory amendment.

Also, one from Posey township, same county, signed by forty-five voters, on same subject.

Which were referred to the Committee on Temperance.

Senator Johnson offered petitions as follows :

One signed by thirty-six voters of Fairfield township, Tippecanoe county, praying the repassage and submission of the prohibitory amendment.

Also, one on same subject, signed by eighteen voters of Jackson township, same county.

Senator Bichowsky offered petitions as follows :

One signed by sixty-seven voters of Greenfield township, Lagrange county, praying the passage and submission of the prohibitory amendment.

Also, one on same subject, signed by twenty-four voters of Vigo county.

Also, one signed by one hundred and three voters of Terre Haute, same county.

Also, one signed by one hundred and twenty-four voters of Fayette township, same county.

All on the same subject.

Which were referred to the Committee on Temperance.

Senator Ristine offered a petition, signed by forty-eight voters of Clark township, Montgomery county, praying the repassage and submission of the prohibitory amendment.

Which was referred to the Committee on Temperance.



Senator Duncan offered the following petitions :

One signed by forty-six voters of Bloomington and Posey townships, Monroe county, praying the repassage and submission of the prohibitory amendment.

Also, one from Van Buren township, same county, signed by forty voters.

Also, one from Bloomington township, signed by eighteen voters.

Also, one from same, signed by one hundred and ten voters.

Also, one from Bloomington township, signed by nineteen voters.

Also, one from Bloomington and Perry townships, signed by forty-four voters.

Also, one from Washington township, signed by twenty-one voters.

Also, one from Van Buren township, signed by twenty voters.

Also, one from Clear Creek township, signed by twelve voters.

Also, one from Marion township, signed by forty-three voters, all of Monroe county.

Also, one from Hartsville, Bartholomew county, signed by seventy-three voters, on the same subject.

Also, one from Hamblin township, Brown county, on the same subject.

Which were referred to the Committee on Temperance.

Senator Richardson offered the following petition on the same subject, to-wit :

One from Warrick county, signed by one hundred and thirty-two voters.

Also, one from Logan township, Pike county, signed by fifteen voters.

Also, one from Jefferson township, Pike county, signed by forty-six voters.



Also, one from Lockhart township, Pike county, signed by thirty-eight voters.

Also, one from Marion township, Pike county, signed by thirty-eight voters.

Which were referred to the Committee on Temperance.

Senator Marvin presented the following petitions on the same subject, to-wit:

One from Clinton county, signed by eighteen voters.

Also, one from Sugar Creek township, Boone county, signed by two hundred and twenty-two voters.

Also, State Grange petition, signed by twenty-five voters from sixteen counties.

Which were referred to the Committee on Temperance.

Senator Ernest presented the following petitions on the same subject, to-wit:

One from Stean township, Knox county, signed by thirty-seven voters.

Also, one from Fairbanks township, Sullivan county, signed by thirty-two voters.

Also, one from Haddon township, Sullivan county, signed by thirty-four voters.

Also, one from Hamilton township, Sullivan county, signed by seventy-three voters.

Also, one from Jackson township, Sullivan county, signed by eighty-five voters.

Also, one from Jefferson township, Sullivan county, signed by 128 voters.

Also, one from Haddon township, Sullivan county, signed by fourteen voters.

Which were also referred to the Committee on Temperance.

Senator Overstreet presented the following petitions from Johnson county, on the same subject, to-wit:

One from White River township, signed by sixty-three voters.



Also, one from Franklin township, signed by fifty voters.

Also, from other townships in said county, signed by 343 voters.

Which were referred to Committee on Temperance.

Senator Howard presented a petition from Union township, Shelby county, on the same subject, and signed by thirty-five voters of said township.

Which were referred to the Committee on Temperance.

Senator Hilligass presented petitions as follows, on the same subject:

One from Rock Creek township, Huntington county, signed by thirty-seven voters.

Also, one from Jefferson township, Wells county, signed by twenty-nine voters.

Which were referred to Committee on Temperance.

Senator Lindley presented petitions on the same subject, as follows:

One from Eugene township, Vermillion county, signed by 116 voters.

Also, one from Penn township, Parke county, signed by 142 voters.

Also, one from Reserve and other townships, signed by seventy-six voters.

Which were referred to the Committee on Temperance.

Senator May presented petitions on the same subject, as follows:

One from Clay township, Spencer county, signed by fifty-three voters.

Also, one from Hammond township, Spencer county, signed by seventy-seven voters.

Also, one from Carter township, Spencer county, signed by eighty-four voters.



Also, one from Tobin and Troy townships, Perry county, signed by 121 voters.

Which were referred to the Committee on Temperance.

Senator Davidson presented petitions on the same subject, as follows:

One from Walnut township, Marshall county, signed by fifty voters.

Also, one from Rochester township, Fulton county, signed by 178 voters.

Which were referred to the Committee on Temperance.

Senator Youche presented petitions on the same subject, as follows:

One from Winfield township, Lake county, signed by twenty-nine voters.

Also, one from Lowell township, Lake county, signed by seventy-six voters.

Also, one from Center township, Porter county, signed by seventy-six voters.

Also, one from Washington township, Porter county, signed by thirty-six voters.

Which were referred to the Committee on Temperance.

Senator Benz presented petitions on the same subject, as follows:

One from Washington township, Harrison county, signed by thirty voters.

Also, one from Patoka township, Crawford county, signed by thirteen voters.

Also, one from Liberty township, Crawford county, signed by thirty-three voters.

Also, one from Liberty township, Crawford county, signed by thirteen voters.

Also, one from Patoka and Sterling townships, Crawford county, signed by thirty-two voters.

Which were referred to the Committee on Temperance.



Senator McClure presented a petition on the same subject, from Johnson township, Scott county, signed by sixty-three voters.

Which was referred to the Committee on Temperance.

Senator McIntosh offered a petition, signed by fifty-two voters of Staffera township, Greene county, asking the early repassage and submission of the prohibitory amendment.

Which was referred to the Committee on Temperance.

Senator Smith of Jay, presented the following petitions :

One signed by sixteen voters of Richland township, Jay county, on the subject of the prohibitory amendment.

Also, another from the same township and county, on the same subject.

Also, one signed by thirty-nine voters of Wabash township, Adams county, on same subject.

Also, one signed by eighty-seven voters of Licking township, Blackford county, on same subject.

Which were referred to Committee on Temperance.

The following petitions were presented by Senator Johnston, on the subject of the prohibitory amendment, as follows:

One signed by twenty-eight voters of Ohio county.

Also, one signed by nine voters of Randolph township, same county.

Also, one signed by seventy-eight voters of Clay township, Dearborn county, on same subject.

Also, one signed by thirty-seven voters of Jefferson township, Switzerland county, on same subject.

Which were referred to the Committee on Temperance.

Senator Hill presented petitions as follows:

One signed by 171 voters of Jefferson township, Wells county, asking that the prohibitory amendment be repassed and submitted.



Also, one from Smyrna township, Jefferson county, signed by fifty-one voters, on the same subject.

Which were referred to Committee on Temperance.

Senator Bell presented the following petitions:

One from Lake township, Allen county, signed by thirty voters, asking that the prohibitory amendment be repassed and submitted to a vote of the voters of Indiana.

Also, one from St. Joseph and Milan townships, Allen county, on the same subject.

Which were referred to Committee on Temperance.

Senator Null presented a petition from Wayne township, Allen county, signed by fifty-eight voters, asking that the prohibitory amendment be repassed, and submitted to a vote at a special election by the voters of Indiana.

Which was referred to the Committee on Temperance.

Senator Fletcher presented petitions as follows:

One from Franklin township, Marion county, signed by 110 voters.

Also, one from Decatur township, in same county, signed by thirty-three voters, asking that the prohibitory amendment be repassed and submitted to a vote at a special election by the voters of Indiana.

Which were referred to the Committee on Temperance.

Senator Marvin presented petitions as follows:

One from Sugar Creek township, Boone county, signed by eighty-one voters.

Also, one from Madison township, Clinton county, signed by forty-seven voters.

Also, one from Washington township, Clinton county, signed by fifty-nine voters, asking that the prohibitory amendment be repassed and submitted to a vote at a special election by the voters of Indiana.

Which were referred to the Committee on Temperance.



Senator Duncan presented a petition from thirty-five voters of Monroe county, asking that the prohibitory amendment be repassed and submitted to a vote at a special election by the voters of Indiana.

Which was referred to the Committee on Temperance.

Senator Bell asked leave of absence for himself and Senator Spann and announced that they were paired on all political questions at all times until the Senate was further notified.

Which was granted.

Senator Graham asked leave of absence for Senator Brown until to-morrow morning, and stated that he was paired with him on all political questions.

Which was granted.

Senator Willard offered the following resolution :

*Resolved*, That the Chairmen of the Democratic Senate Caucus Committee and the Republican Senate Caucus Committee shall constitute a Special Committee on Pairs, and when either of said Senators shall state that a question is of a political nature all pairs shall then be in force.

WILLARD.

Senator Willard moved the adoption of the resolution.

Which was rejected.

Senator Johnson offered the following resolution :

WHEREAS, The present system of letting out the labor of the convicts of our penitentiaries under a contract to the highest bidder has established in this State, and under authority of the State, a class of cheap slave labor; and

WHEREAS, The employment of said convicts in various important manufactures of this State at the nominal contract price paid by the highest bidder, establishes an unfair and injurious competition between the factories and workshops in which such convicts are employed and the factories and workshops in which free and respectable men are employed; and

WHEREAS, The low and merely nominal prices paid by the contractors for the labor of said penitentiary convicts materially



influence and lower the wages of free laborers, and workingmen employed in similar workshops and factories; and

WHEREAS, The very fact that the labor of a convicted criminal and felon should be permitted to enter into competition with the labor of a free and respectable citizen, and diminish his ability to provide for his family and educate his children, is humiliating to the free laborer, and an injustice and a wrong to his family; and

WHEREAS, It is the duty of the State to protect both the material interests and the dignity of the citizens; and

WHEREAS, The pretext of making our State prisons self-sustaining, by letting out the labor of the convicts, is no excuse for injuring the private rights, and lowering the wages of honest citizens; therefore,

*Resolved*, That the great wrong engendered by the present system of letting out the labor of the convicts of our penitentiaries and inmates of reformatory schools and benevolent institutions under contract to the highest bidder, should be remedied as soon as possible.

*Resolved*, That a Special Committee of five members of the Senate be appointed by the President of the Senate to devise means and plans to have the present system of contract convict labor abolished, and at the same time to utilize the labor of the convicts in such work and employment as may contribute to the maintenance and pecuniary support of the penitentiaries, but will not interfere with or enter into competition with the labor and compensation of free laborers and citizens.

Senator Van Vorhis offered the following amendment:

To amend by adding after the word "penitentiaries" the words "and inmates of reformatory schools and benevolent institutions."

Which amendment was accepted by Senator Johnson.

When the resolution was adopted.

Lieutenant Governor Hanna appointed the following named Senators as a committee on said resolution:

Senators Johnson, Foulke, Faulkner, Lindley and Ernest.



## JOINT RESOLUTIONS.

Senator Magee called up Concurrent Resolution No. 1, relating to Michigan City harbor, and the report of committee on same, which was as follows :

*To the President of the Senate :*

The committee to whom was referred the Joint Resolution in reference to the action of the Secretary of War in refusing to order the expenditure of the appropriation made by the Forty-seventh Congress for the improvement of the harbor at Michigan City, do return said resolution with the recommendation that the same be adopted.

C. R. FAULKNER, Chairman.

Senator Magee moved its adoption.  
So the resolution was adopted.

The following message from the House was received by the hand of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has concurred in the amendment to Senate Bill No. 25, in relation to payment of the Indiana Legion in the late war of the rebellion, and other matters connected therewith, and the same is herewith transmitted to the Senate.

S. W. EDWINS,

Clerk of House of Representatives.

Senator Bell called up House Bill No. 148.  
Which was referred to Committee on Judiciary.

Joint Resolution of House Concurrent Resolution No. 2, in relation to the death of Gambetta, was read.

Senator Spann moved its adoption.  
Said resolution was then adopted.

Concurrent Resolution No. 3, in relation to pensioning soldiers of the Mexican war, was read.

And upon motion of Senator Foulke, it was adopted.



Senator Adkinson introduced Senate Bill No. 97, entitled :

An act to amend section 27 of an act concerning roads and highways, approved April 15, 1881.

Which was read a first time and referred to the Committee on Roads.

Senator Bell introduced Senate Bill No. 98, entitled :

A bill for an act regulating the presentation of claims against counties in the State of Indiana before the Board of County Commissioners, and the adjudication of the same.

Which was read a first time and referred to the Committee on Judiciary.

Senator Benz introduced Senate Bill No. 99, entitled :

A bill making it a misdemeanor to cheat or defraud a hotel, inn, or boarding house owner or keeper by a false show of effects or baggage.

Which was read a first time and referred to the Committee on Judiciary.

Senator Hostetter asked to be relieved from serving on the Committee on Claims and Expenditures, and that Senator McCartney be substituted in his stead on such committee.

By unanimous consent of the Senate, the request was granted.

Senator Duncan introduced Senate Bill No. 100, entitled :

A bill for an act for the relief of Joel S. Davis, and authorizing the refunding to him of certain damages paid by him into the treasury of Bartholomew county, to the credit of Congressional township 8, north of range 6 east, for school purposes, and declaring an emergency.

Which was read a first time and referred to the Committee on Claims.

Senator Fletcher introduced Senate Bill No. 101, entitled :

A bill for an act to encourage the growth and manufacture



of sugar and syrup, to prevent fraud therein, to regulate the sale thereof, and prescribing penalties.

Which was read a first time and referred to the Committee on Agriculture.

Senator Johnston introduced Senate Bill No. 102, entitled :

A bill for an act to amend an act entitled "An act to provide for the organization and support of an Asylum for Feeble Minded Children ; to provide for the appointment by the Governor of a Board of Trustees of the Soldiers' Orphans' Home and for said asylum, and to abolish the office of Trustee of the Soldiers' Orphans' Home, and to repeal the act on the same subject," approved March 7th, and declaring an emergency.

Which was read a first time and referred to the Committee on Judiciary.

Senator Johnson introduced Senate Bill No. 103, entitled :

An act providing that laborers and mechanics shall be entitled to a first lien on employer's property for wages due them, and declaring an emergency.

Which was read a first time and referred to the Committee on Judiciary.

Senator May introduced, by request, Senate Bill No. 104, entitled :

An act to legalize the organization and acts of all plank, macadamized and gravel road companies, whose said companies have organized and carried on their legitimate business in good faith before the act under which they intended to organize and act went into force, and declaring an emergency.

Which was read a first time and referred to the Committee on Roads.

Senator Ristine introduced Senate Bill No. 105, entitled :

An act to legalize the incorporation of Waynetown, Montgomery county, Indiana, the election and qualification of its Board of Trustees, etc.

Which was read a first time and referred to the Committee on County and Township Business.



Senator Spann introduced Senate Bill No. 106, entitled:

An act entitled an act requiring the keepers of hotels and inns, within this State, to provide fire escapes for inspection, and providing penalties.

Which was read a first time and referred to the Committee on Judiciary, with instructions to consider at their first meeting and report immediately thereafter.

Senator Van Vorhis introduced Senate Bill No. 107, entitled:

A bill for an act defining powers of attorney, providing for recording the same.

Which was read a first time and referred to Committee on Judiciary.

Senator Youche introduced Senate Bill No. 108, entitled:

An act to compel keepers of hotels and lodging houses to afford to guests, lodgers and employes, the means of escape in case of fire. Prescribing penalties and declaring an emergency.

Which was read a first time and referred to the Committee on Judiciary, with instructions to consider at their first meeting and report immediately thereafter.

Senator Van Vorhis introduced Senate Bill No. 109, entitled:

A bill for an act to amend section 173 of an act entitled "An act concerning public offenses and their punishment," approved April 14, 1881.

Which was read a first time and referred to the Committee on Judiciary.

Senator Compton introduced Senate Bill No. 110, entitled:

An act to amend section 4 of an act entitled "An act in relation to plank, macadamized, tram and gravel road companies," approved March 1, 1855, being section 3679, of the code of 1881, and authorizing the leasing or sale of the same for certain purposes, and confirming to purchasers certain franchises, repealing all laws in conflict, and declaring an emergency.

Which was read a first time and referred to the Committee on Roads.



Senator Bell introduced Senate Bill No. 111, entitled :

A bill for an act to amend sections 61 and 71, Revised Statutes of 1881, sections 1634 and 1643, of an act entitled "An act concerning proceedings in criminal cases," approved April 19, 1881, and adding supplemental sections thereto.

Which was read a first time and referred to the Committee on Judiciary.

Senator Youche introduced Senate Bill No. 112, entitled :

An act to amend section 418 of an act entitled "An act concerning proceedings in civil cases," approved April 7, 1882.

Which was read a first time and referred to the Committee on Judiciary.

Senator Duncan introduced Senate Bill No. 113, entitled :

A bill for an act to amend section 1467 of the Revised Statutes of 1881, the same being section 27 of an act entitled "An act providing for election and qualification of Justices of the Peace, and defining their jurisdiction, powers and duties, and declaring an emergency," approved June 9, 1852.

Which was read a first time and referred to the Committee on Judiciary.

On motion of Senator Spann, the Senate adjourned to Tuesday morning at 10 o'clock.

THOMAS HANNA,

President of the Senate.



## MORNING SESSION.

TUESDAY MORNING, January 16, 1883.

Senate met at 10 o'clock, Lieutenant Governor Hanna in the Chair.

Prayer was offered by the Reverend N. A. Hyde, of the Mayflower Congregational Church, Indianapolis.

The reading of the Journal was being proceeded with, when on motion of Senator Benz the further reading of the minutes were dispensed with.

Lieutenant Governor Hanna stated, to correct a wrong impression made on the minds of certain Senators as to the reference of that portion of the Governor's Message relating to State House, said that it was referred to the Senate Committee, and that the Journal would so show it.

Senator Henry presented petitions, asking the Senate and House of Representatives of the State of Indiana to take such immediate action as will secure the early repassage and submission of the prohibitory amendment to a vote of the people at a special election, for their ratification or rejection of said amendment to our State Constitution, signed by forty-eight voters of Jackson township, Madison county.

Which was referred, without reading, to the Committee on Temperance.

Senator Benz presented petitions from Harrison and Orange counties, as follows :

One from Harrison county, Posey township, signed by thirty-five voters, praying the repassage and submission of the prohibitory amendment.

Also, one from Orange county on the same subject, signed by thirty-five voters of said county.

Which were referred to the Committee on Temperance.



Senator Youche presented the following petition:

*To the General Assembly of Indiana:*

WHEREAS, We, the County Board of Education and teachers of Lake county, in the State of Indiana, being fully satisfied by experience, and otherwise, that the fund for defraying the expenses of the County Institute, as provided in section 159 of the Indiana School Law, is entirely inadequate to meet the expenses of a well regulated institute; and

WHEREAS, We believe that in case the general average of teachers in attendance is a number sufficient to justify an Institute fund of \$100 would greatly add to the interest of the Institute and the good of the schools, as the teachers would thereby receive more competent instruction in the art and science of teaching; and,

WHEREAS, We believe that this can be secured by a special act of the Legislature; therefore,

*Resolved*, That we do earnestly pray the Legislature, at its Biennial Session, 1888, to amend the 159th section of the Indiana School Law, so that it will read after the following manner: "In order to encourage Teachers' Institutes, the several County Auditors of the several counties shall, whenever the County Superintendent of their county shall file with the said Auditor his official statement, showing that there has been held, for five days, a Teachers' Institute in said county, with an average attendance of twenty-five teachers, or persons preparing to become such, draw his warrant in favor of said County Superintendent on the County Treasurer for thirty-five dollars; and in case there should be an average attendance of forty teachers, or persons preparing to become such, draw his warrant in favor of said County Superintendent on the said Treasurer for fifty dollars; and in case there should be an average attendance of fifty-five teachers, or persons preparing to become such, then the said County Auditor shall draw his warrant on the Treasurer for one hundred dollars, for the purpose of defraying the expenses of said institute: *Provided, however*, That but one of said payments be made in the same year."

*Resolved*, That a copy of these resolutions be sent, one to our



Representative, and another to the State Senator from this District.

Adopted by the County Institute, December 29, 1882.

FRANK E. COOPER, President.

LIZZIE ADAMS, Secretary.

Which was referred to the Committee on Education.

Senator Van Vorhis presented the following communication:

INDIANAPOLIS, January 15, 1883.

DEAR DOCTOR—I am in possession of a lot of meat which is a fair sample of very much that is sold to our people.

I should be very much pleased to have the Senatorial Committee on Public Health see the meat to-morrow, and, if possible, to have the committee devise some measure which will relieve us from the cause.

Please ask the committee to designate an hour at which it would be convenient for them to see the same in the office of the Board of Health.

Very truly,

E. S. ELDER, M. D.,  
Secretary Board of Health.

F. J. VAN VORHIS, M. D.,

WM. B. FLETCHER, M. D.,

Members of the Senate Committee on Board of Health.

Which was referred to the Committee on Public Health.

Senator Fleming presented the following petitions:

One from Warren township, Warren county, signed by forty-five voters, praying the repassage and submission, at a special election, of the prohibitory amendment.

Also, one from Prairie township, same county, on same subject, signed by forty-three voters.

Also, one signed by ninety voters from Pike township, same county, on same subject.



Also, one on the same subject, signed by 103 voters of Warren county.

Also, one from Shawnee township, Fountain county, signed by fifteen voters, on same subject.

Also, one from Davis township, same county, on same subject, signed by eleven voters.

Also, one from Richland township, same county, signed by eleven voters, on same subject.

Which were referred to the Committee on Temperance without reading.

Senator Keiser presented a petition from nine voters of Union township, White county, praying the repassage and submission at a special election of the prohibitory amendment.

Which was referred to the Committee on Temperance without reading.

Senator McCulloch presented petitions praying the repassage and submission of the prohibitory amendment at a special election, as follows :

One from Gibson county, signed by thirty-seven voters.

Also, one from Lynn township, Posey county, signed by twenty-eight voters.

Also, one from Lynn and Harmony townships, Posey county, signed by thirty-nine voters.

Which were referred, without reading, to the Committee on Temperance.

Senator Fletcher offered the following petition :

*To the Senate and House of Representatives of the State of Indiana:*

We, the women of Indiana Yearly Meeting of the Religious Society of Friends, do respectfully memorialize you, and ask that our State Hospital for Insane Women be placed in charge of persons of their own sex, and petition that a Board of Managers composed of women be appointed who shall have entire control of the institution in regard to selection of officers and general management.



By direction and on behalf of Indiana Yearly Meeting of Women Friends, held at Richmond, Ind.

NAOMI W. HARRISON, Clerk.

10TH MO., 3, 1882.

Which was referred to Committee on Benevolent and Reformatory Institutions.

Senator Hoover presented a petition from the County Board of Education and teachers of Newton county, praying the Legislature at its Biennial Session, 1883, to amend the 159th section of the Indiana School Law, so as to encourage County Teachers' Institutes by providing a fund for defraying the expenses of said institutes as therein set forth.

Which was referred to the Committee on Education.

Senator Rahm presented a petition signed by thirty-seven voters of Pigeon township, Vanderburgh county, asking that the prohibitory amendment be repassed and submitted to the vote of the people at a special election for their ratification or rejection of said amendment to our State Constitution.

Which was referred, without reading, to the Committee on Temperance.

Senator Bundy, from the Committee on Judiciary offered the following report on Senate Bill No. 20 :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate Bill No. 20, report that they have had the same under consideration and recommend that the same pass.

Senator Van Vorhis offered the following report, from the Committee on Judiciary, on Senate Bill No. 11 :

MR. PRESIDENT :

The Committee on Judiciary, to whom was referred Senate Bill No. 11, being "An act to amend sections 79 and 92 of an act entitled an act concerning proceedings in criminal cases," have had the same under consideration, and a majority of the committee have directed me to return the bill with the recommendation that it lie on the table.



Senator Van Vorhis, from the Committee on Judiciary, made the following report on Senate Bill No. 76:

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Senate Bill No. 76, being "A bill to amend section 6 of an act entitled an act to provide for a homestead, and exempting it from sale on execution, and exempting certain personal property from attachment and sale on execution or distress for rent, and repealing all laws in conflict herewith," have had the same under consideration, and a majority of the committee have directed me to return this bill with the recommendation that it lie on the table.

F. J. VAN VORHIS,  
For Committee.

Senator Graham, from the Committee on Judiciary, offered the following report on Senate Bill No. 71:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate Bill No. 71, being a bill "providing for the cancelment of debts secured by mortgage by the sale of the mortgaged property, for the repeal of all laws in conflict therewith, and declaring an emergency," have had the same under consideration, and a majority of the committee have directed me to return the bill with the recommendation that it be indefinitely postponed.

Senator Bell, from the Committee on Judiciary, offered the following report on Senate Bill No. 84:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate Bill No. 84, being a bill "defining cruelty to animals, declaring it a misdemeanor, providing for the destruction of animals in certain cases and to prevent cruelty to animals; also, providing penalties and repealing all laws on the subject," have had the same under consideration, and a majority of the committee have directed me to return the bill with the recommendation that it lie on the table.



Senator Bell, from the Committee on Judiciary, on Senate Bill No. 32, reported as follows:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 32, a majority of the committee have directed me to return the bill with the recommendation that it be amended as follows, viz: Insert the word "white" after the word "persons," in line 11, page 1. Also, strike out the word "authorized," in line 15, page 1, and insert in lieu thereof the word "entitled."

And that when so amended the bill do pass.

R. C. BELL, Chairman.

Senator Bell, from the Committee on Judiciary, on House Bill No. 148, reported as follows:

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred House bill No. 148, being a bill ceding the jurisdiction of this State over certain lands to the United States, have had the same under consideration, and a majority of the committee have directed me to return the bill, with recommendation that it do pass.

R. C. BELL, Chairman.

Senator McCulloch, from the Committee on Judiciary, on Senate Bill No. 79, reported as follows:

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Senate Bill No. 79, being an act to amend sections 4 and 7 of an act entitled, "An act providing for the establishment of a State Bureau of Statistics, etc.," have had the same under consideration, and a majority of the committee have directed me to return the bill with the recommendation that it lie on the table.

McCULLOCH.

Senator Voyles, from Committee on Judiciary, reported on Senate Bill No. 16, as follows:



MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate Bill No. 16, being a bill to amend sections 1781 and 1782 of an act concerning proceedings in criminal cases, and repealing all laws conflicting with this act, have had the same under consideration, and a majority of the committee have directed to return the bill with the recommendation that it lie on the table.

VOYLES.

Senator Voyles, from the Committee on Judiciary, reported on Senate Bill No. 13, as follows:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate Bill No. 13, being a bill for an act to repeal certain sections of the Revised Statutes, have had the same under consideration, and a majority of the committee have directed me to return the bill with the recommendation that it lie on the table.

VOYLES.

Senator Marvin, from the Committee on Benevolent and Reformatory Institutions, reported on Senate Bill No. 46, as follows:

MR. PRESIDENT:

The Committee on Benevolent and Reformatory Institutions, to whom was referred Senate Bill No. 46, "a bill to provide for the construction of a sewer from the grounds owned by the State at or near the Reformatory Institution for Women and Girls, so as to connect such sewer with one of the principal sewers of the city of Indianapolis," have had the same under consideration, and authorize me to report that they recommend its passage; also recommend the printing of 150 copies of the same.

HENRY M. MARVIN, Chairman.

Which was adopted as to printing.



Senator Ernest, from Committee on Roads, on Senate Bill No. 22, reported as follows:

MR. PRESIDENT:

Your committee to whom was referred Senate Bill No. 22, entitled "An act to amend section 1 of an act approved March 3, 1881, entitled an act to amend section 7," etc., have had the same under consideration and recommend that the same do pass, with the following amendment:

Amend section 1, by striking out of line 24 "one and one-half per centum," and insert in lieu thereof the following: "Two per centum."

JOSHUA ERNEST,  
Chairman Committee on Roads.

Senator Hill, from Committee on County and Township Business, on Senate Bill No. 88, reported as follows:

MR. PRESIDENT:

Your committee to whom was referred Senate Bill No. 88, entitled:

A bill for an act to amend section 4 of an act entitled "An act to authorize the formation of companies," etc., report that we have had the same under consideration, and recommend that the bill do pass.

JAMES HILL,  
Chairman Com. on Co. and Tp. Business.

Senator Adkinson presented Senate Bill No. 114, entitled:

An act to amend "An act concerning taxation," approved March 29, 1881.

Which was read a first time and referred to Committee on Judiciary.

The following message was received from the House by the hands of the Principal Clerk thereof.

MR. PRESIDENT:

I am directed by the House to inform the Senate that the



House has passed House Bill No. 150, in relation to the appointment of Judges of Criminal Courts, and other matters connected therewith. And the same is herewith transmitted to the Senate for its action.

S. W. EDWINS, Clerk.

Senator Compton introduced Senate Bill No. 115, entitled:

An act authorizing street railway companies to occupy the common highways of any county, and proceedings for obtaining the right of occupation, and assessment of damages and appeals in such cases, and matters properly connected therewith, and declaring an emergency.

Which was read a first time and referred to the Committee on Roads.

Senator Fletcher introduced Senate Bill No. 116, entitled:

A bill for an act to amend section 4 of an act entitled "An act providing for a general system of common schools in all cities of 30,000 or more inhabitants," etc., approved March 30, 1871.

Which was read a first time and referred to the Committee on Corporations.

Senator Lockridge introduced Senate Bill No. 117, entitled:

An act fixing the fees of Prosecuting Attorneys, providing for their payment, and repealing certain laws.

Which was read a first time and referred to the Committee on Fees and Salaries.

Senator Macartney introduced Senate Bill No. 118, entitled:

A bill for an act to amend sections 181, 186, 232 and 237 of an act entitled "An act concerning taxation," approved March 29, 1881, being sections 6450, 6455, 6501 and 6506 of Revised Statutes of 1881, and declaring an emergency.

Which was read a first time and referred to the Committee on County and Township Business.

Senator May introduced Senate Bill No. 119, entitled:

A bill for an act to amend section 1 of an act entitled,



“An act to amend sections one (1) and two (2) of an act entitled ‘an act to authorize cities and towns to issue bonds for the purpose of funding their indebtedness,’” etc., approved March 7, 1881.

Which was read a first time and referred to the Committee on Corporations.

Senator McClure introduced Senate Bill No. 120, entitled:

An act to amend section 8 of an act entitled, “An act amendatory of the charter of Clarksville, in Clark and Floyd counties,” approved June 17, 1852, and to provide for and authorize the incorporation of towns and cities within the limits of the outlots of the old town of Clarksville.

Which was read a first time and referred to a special committee of three.

Said special committee of three consisted of Senators McClure, Voyles and Spann, appointed by the President.

Senator McCulloch introduced Senate Bill No. 121, entitled:

A bill for an act to legalize the acts of an incorporation of a certain voluntary association organized in Vanderburgh county in the State of Indiana, under an act approved June 17, 1852, enabling trustees to receive lands and donations for the use of schools, churches and societies, whose articles of incorporation were filed in the office of the Recorder of Vanderburgh county, on the 2nd day of September, A. D. 1857, and declaring an emergency.

Which was read a first time and referred to the Committee on Corporations.

Senator Rahm introduced Senator Bill No. 122, entitled:

A bill for an act to amend section 19 of an act entitled “An act to provide for the organization of savings banks, and the safe and proper management of their affairs,” approved May 12, 1869.

Which was read a first time and referred to the Committee on Banks.



Senator Smith, of Jay, introduced Senate Bill No. 123, entitled:

A bill for an act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement.

Which was read a first time and referred to the Committee on Judiciary.

Senator Spann introduced Senate Bill No. 124, entitled:

A bill concerning insurance.

Which was read a first time and referred to the Committee on Judiciary.

Senator Willard introduced Senate Bill No. 125, entitled:

A bill for an act entitled "An act to repeal an act entitled 'an act to protect sheep husbandry, to regulate matters connected therewith, to provide for regulating, taxing and killing dogs,'" approved April 13, 1881, and declaring an emergency.

Which was read a first time and referred to Committee on Rights and Privileges.

Senator Youche introduced Senate Bill No. 126, entitled:

An act to amend section 219 of an act entitled "An act concerning taxation," approved March 29, 1881, with an emergency.

Which was read a first time and referred to Committee on Judiciary.

Senator Foulke introduced Senate Bill No. 127, entitled:

An act to amend section 34 of an act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees of certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865.

Which was read a first time and referred to Committee on Education.



Senator Brown presented six petitions on Temperance, which are as follows:

One signed by four voters of Columbia township, Jennings county, praying the repassage and submission of the prohibitory amendment to a vote of the people for their ratification or rejection.

Also, one signed by thirty-seven voters of Otter Creek township, same county, on same subject.

Also, one signed by thirty-three voters of Montgomery township, same county, on same subject.

Also, one signed by forty-one voters of Sand Creek and Columbia townships, same county, on same subject.

Also, one from Jackson township, of Jackson county, signed by one hundred and one voters, on same subject.

Also, one signed by nineteen voters of Redding township, same county, on same subject.

Which were referred to the Committee on Temperance without reading.

Senator Spann introduced Senate Bill No. 128, entitled:

An act creating a Commissioner of Railroads, Telegraphs and Transportation, defining and prescribing his duties, and defining the powers and duties of railroads, telegraphs and transportation companies under this act, and providing for the forfeitures and penalties for the violations of the same.

Which was read a first time and referred to the Committee on Railroads.

Senator Compton introduced Senate Bill No. 129, entitled:

An act to allow horse and street railway companies to draw their cars, run on such ways, by horses and mules, or propel the same in any way such company may adopt, with restriction as to running the same, repealing all laws in conflict, and declaring an emergency.

Which was read a first time and referred to the Committee on Roads.



Senator Compton introduced Senate Bill No. 130, entitled:

An act to amend section 16 of an act entitled "An act regulating the working of coal mines, and declaring a lien upon the works and machinery for work and labor in mining coal, and providing a penalty for the violation thereof; and providing for the appointment and qualification of a Mine Inspector, and prescribing his duties, and declaring an emergency," approved March 8, 1879; and to amend section 4 of an act supplemental to said act, approved March 5, 1881, being sections 5472 and 5480 Revised Statutes of 1881.

Which was read a first time and referred to the Committee on Mines and Mining.

Senator Youche introduced Senate Bill No. 131, entitled:

An act to amend section 5 of an act entitled "An act authorizing the appointment of short-hand reporters for certain Courts of Record in this State (in counties containing 70,000 or more), and prescribing the duties and compensation of such reporters," approved March 10, 1881.

Which was read a first time and referred to the Committee on Organization of Courts.

Senator Van Vorhis, from the Committee on Judiciary on Senate Bill No. 67, reported as follows:

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Senate Bill No. 67, being a bill for an act authorizing municipal corporations to invest their sinking funds in government, State and county bonds temporarily, have had the same under consideration and a majority of the committee have directed me to return the bill with the recommendation that it be amended as follows, viz:

Insert after the words "sinking funds," in line 11, the words "or any other specific fund held for any purposes whatever."

Insert after the words "as the said," in line 15, the word "sinking."



Insert after the word "indebtedness," in lines 18 and 19, the words "or said other specific fund can not be or is not used for the purpose for which it is intended."

And that when so amended that it do pass.

Senator McCulloch, from the Committee on Judiciary, on Senate Bill No. 12, reported as follows :

MR. PRESIDENT :

Your Committee on the Judiciary, to whom was referred Senate Bill No. 12, being a bill defining the crime of false pretenses, and prescribing the punishment therefor, have had the same under advisement, and a majority of the committee have directed me to return the bill with the following recommendations, that it be amended as follows, viz: That the title to said bill be amended to read as follows :

"An act to amend section 288, of an act entitled 'An act concerning public offenses and their punishment,' " approved April 14, 1881, the same being section 2204 of the Revised Statutes of 1881; and that section 1 of said bill be amended by inserting the words: "Section 288 of said act, being section 2204 of the Revised Statutes of 1881, be, and the same is hereby amended to read as follows," between the words "that" and "whenever," in line 6; and that section 2 of said bill be amended to read as follows: "Section 2. All laws in conflict with this act are hereby repealed, but this repeal shall not affect any prosecutions pending, or offenses heretofore committed under existing laws, and such prosecutions and offenses shall be continued and prosecuted to a final determination as if this act had not passed. And that section 3 of said bill be stricken out; and that when so amended the bill do pass.

McCULLOCH.

Senator Bell, from the Committee on Judiciary, made the following report on Resolution No. 2 (by Marvin), in regard to gravel roads :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred the



accompanying resolution, have had the same under consideration, and a majority of the committee have directed me to return the resolution with the statement that, in their opinion, a constitutional law could be passed such as named in the resolution, and also to recommend that the resolution be referred to the Committee on Roads.

R. C. BELL, Chairman.

Which report was adopted and referred to Committee on Roads.

Senator Bell, from the Committee on Judiciary, made the following report on Resolution No. 3 (by Senator Hilligass), calling upon the State Superintendent of Public Instruction for certain information:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred the accompanying resolution, calling upon the State Superintendent of Public Instruction for certain information, have had the same under consideration, and a majority of the committee have directed me to return the resolution to the Senate without recommendation.

R. C. BELL, Chairman.

Senator Bell moved that the resolution lie on the table.

Which was adopted.

Senator Adkinson introduced Senate Bill No. 132, entitled:

An act to establish reasonable maximum rates of charges for the transportation of freight and passengers on the different railroads of this State, and fixing penalties and forfeitures for failure to comply with this act.

Which was read a first time and referred to Committee on Railroads.

Senator Bundy moved an amendment to refer the bill to the Committee on Agriculture.

Which was withdrawn, and the bill was referred to the Committee on Railroads.



Senator Foulke introduced Senate Bill No. 133, entitled :

An act to require railroad companies to fence their tracks.

Which was read a first time and referred to Committee on Railroads.

Senator Voyles moved that 100 copies of Senate Bill No. 91 be printed.

Which motion was adopted.

Senator Willard offered the following resolution:

WHEREAS, The Assistant Secretary has only two tables in the copying room, and that the same is insufficient for the copying clerks,

*Be it Resolved*, That the State Librarian be and is hereby instructed by the Senate to purchase two tables to be for the use of the copying clerks.

WILLARD.

Senator Spann offered the following amendment to the resolution:

I move to strike out "State Librarian" and insert "State Printer" in lieu thereof.

SPANN.

Which amendment was adopted.

The resolution as amended was, on motion, adopted.

Senator Hilligass introduced Senate Bill No. 134, entitled:

A bill for an act authorizing the cities of this State to permit municipal taxes to be paid in installments.

Which was read a first time and referred to Committee on Corporations.

Senator Yancey presented a petition from one hundred and sixty-four citizens of Clinton county, praying your honorable body to submit to the qualified voters of Indiana, at a special election, an amendment to the Constitution, prohibiting the disfranchisement of any citizen on account of sex.

YANCEY.



Which was referred to the Committee on Rights and Privileges.

Senator Graham, from the Committee on Judiciary, on Senate Bill 85, reported as follows:

MR. PRESIDENT:

The Committee on Judiciary, to which was referred Senate Bill No. 85, having considered the same, do recommend that section 1 be amended by inserting after the word "church" the words "graded schools." That section 2 be stricken out, and when so amended, that the bill do pass.

GRAHAM,

For majority of Committee.

Engrossed House Bill No. 150 was introduced, entitled:

A bill for an act relative to the appointment of Judges *pro tem.* for Criminal Courts, and empowering them to hold and discharge the duties of Judges of Criminal Courts.

Which was read a first time.

Senator Voyles moved that the Constitutional rules be suspended, that the bill be read a second time by title, a third time by sections and put upon its passage.

The ayes and nays being taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Bundy, Davidson, Duncan, Ernest, Faulkner, Fleming, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay,



Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 44.

No Senator voting in the negative.

So the Constitutional Rules were suspended.

And the bill was read a second time by title, and a third time by sections.

When, on motion of Senator Voyles, the Senate adjourned until 2 o'clock p. m.



## AFTERNOON SESSION.

TUESDAY AFTERNOON, January 16, 1883.

The Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

Senator Van Vorhis asked unanimous consent, which was granted, to offer the following amendment to House Bill No. 150:

SECTION —. Whenever any person shall be appointed Judge *pro tem.*, under the provisions of this act, he shall be entitled to five dollars for each day he may serve as such Judge, to be paid out of the County Treasury where such Criminal Court is held, upon the warrant of the County Auditor, based upon an allowance made therefor by the Board of County Commissioners. Any amount allowed to any Judge *pro tem.*, during any year, shall be deducted by the Board of County Commissioners from the regular annual salary of the Judge of such Criminal Court making the appointment, except where such Judge *pro tem.* shall be appointed on account of change of venue, relationship, interest as former counsel or absence of Judge in case of serious sickness of himself or family.

Which amendment was, on motion, adopted and considered engrossed.

On the question, Shall the bill pass?

The ayes and naves being taken resulted as follows:

Those voting in the affirmative were:

Senators, Bell, Benz, Bichowsky, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Hostetter, Hutchinson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, Null, Overstreet,



Ristine, Sayre, Spann, Van Vorhis, Voyles, White, Willard and Youche. Total, 34.

Senator Faulkner voting in the negative.

So the bill as amended was passed.

Senator Voyles offered the following amendment to the title of the bill:

MR. PRESIDENT:

I move to amend the bill by adding the following:

“Fixing and providing for compensation of such judges *pro tem.*, and declaring an emergency.”

VOYLES.

Which was adopted, and the title adopted as amended and read.

The following message was received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has concurred to the amendments to House bill No. 118, concerning the business of the General Assembly, and other matters connected therewith, and the same is herewith transmitted to the Senate for its action.

S. W. EDWINS,

Clerk of the House.

Senate Bill No. 11, from the Committee on Judiciary, was read a second time, with report of Senator Bell, Chairman of said committee, as follows:

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Senate bill No. 11, being an act to amend sections 79 and 92 of an act entitled “An act concerning proceedings in criminal cases,” have had the same under consideration, and a majority of the com-



mittee have directed me to return the bill with the recommendation that it lie on the table.

Which was adopted.

#### BILLS ON SECOND READING.

Senate Bill No. 12 was taken up and read a second time, and the report of Committee on Judiciary with the following amendment:

MR. PRESIDENT:

Your Committee on the Judiciary, to whom was referred Senate Bill No. 12, being a bill defining the crime of false pretenses and prescribing the punishment therefor, have had the same under advisement, and a majority of the committee have directed me to return the bill with the following recommendations, that it be amended as follows, viz.: That the title to said bill be amended to read as follows:

An act to amend section 288 of an act entitled "An act concerning public offenses and their punishment," approved April 14, 1881, the same being section 2204 of the Revised Statutes of 1851.

And that section 1 of said bill be amended by inserting the words: "Section 288 of said act, being section 2204 of the Revised Statutes of 1881," be, and the same is hereby amended to read as follows: Between the words "that" and "whoever" in line 6.

And that section 2 of said bill be amended to read as follows: "Section 2. All laws in conflict with this act are hereby repealed, but this repeal shall not affect any prosecutions pending or offenses heretofore committed under existing laws, and such prosecutions and offenses shall be continued and prosecuted to a final determination as if this act had not passed."

And that section 3 of said bill be stricken out.

And that when so amended the bill do pass.

McCULLOCH.

On motion the report of the committee was concurred in and the bill ordered engrossed.



Senate Bill No. 13 was taken up and read a second time, and the report of the Committee on Judiciary thereon, "that it lie on the table," was concurred in.

Senate Bill No. 16 was taken up and read a second time, and the report of the Judiciary Committee, "that it lie on the table," was concurred in.

The following message from the House was received from the hand of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the Speaker of the House has signed enrolled House Bill No. 118, in relation to the business of the General Assembly and other matters connected therewith, and the same is herewith transmitted to the Senate for its action.

S. W. EDWINS, Clerk.

Senate Bill No. 20 was read a second time and the report of the Committee on Judiciary, "that it do pass," was concurred in, and the bill was ordered engrossed.

Senate Bill No. 22 was read a second time, with report of committee thereon, and the report of the committee was concurred in and ordered engrossed.

Senate Bill No. 32 was read a second time with report of committee thereon.

The report of the committee was concurred in and the bill was ordered engrossed.

Senate Bill No. 46 was read a second time with report of committee thereon recommending its passage, and that one hundred and fifty copies be printed.

Senator Voyles offered the following amendment to report of committee:



**MR. PRESIDENT:**

I move to recommit the bill to the committee to which it was heretofore referred, with instructions to report an amendment fixing definitely the portion of the cost of the sewer to be paid by the State.

VOYLES.

Senator Van Vorhis offered the following amendment to the amendment:

I move to amend amendment by adding "and fixing the route on which said sewer was built."

VAN VORHIS.

Which was accepted.

Senator Bell moved an amendment that one hundred and fifty copies be printed and the bill lie on the table until next Monday at 2 o'clock P. M., which amendment was accepted, and it was so ordered by the Senate.

Lieutenant Governor Hanna announced that he had signed House Bill No. 118.

Senator McCulloch offered the following resolution:

*Resolved*, That the Committee on Elections be and the same is hereby authorized and empowered to send for such witnesses and papers as they may deem necessary to a full and fair investigation of the contest now pending before them, in the case of *Johnson vs. Overstreet*.

McCULLOCH.

Senator Spann offered the following amendment:

I move to amend the resolution of the Senator from Gibson as follows: Strike out the word "witnesses" and insert after the word "papers" the following words: "And take such depositions, both in behalf of the contestor and the contestee."

SPANN.

Senator McCulloch offered the following as a substitute for both the resolution offered by himself and the amendment offered by Senator Spann, viz:



*Resolved*, That the Committee on Elections be and the same is hereby empowered and directed to send for persons and papers, to the end that evidence may be taken before said committee to support and negative the charge of bribery made against Senator Overstreet.

Senator Spann moved that this be made a special order of business for to-morrow at 10 o'clock A. M.

Which motion was adopted.

Senator Bell called up special order of business, which was his resolution of the memorial services of the Senate on the death of ex-Senator Foster. Senators Bell and Spann addressed the Senate in eulogy of the character of the deceased.

The resolution was adopted unanimously by a rising vote of the Senate.

Senator Bundy moved that a copy of the resolution be transmitted to the family of the deceased, signed by the proper officers of the Senate.

Which was adopted.

Senator Bundy arose to a question of privilege, and asked leave of absence for Senator Campbell until next Tuesday, stating that he (Senator Campbell) was paired with Senator Hoover on all political questions.

Which was granted.

After which, out of respect to the memory of ex-Senator Foster, the Senate adjourned until 10 o'clock to-morrow morning.

THOMAS HANNA,

President of the Senate.



**MORNING SESSION.**

WEDNESDAY MORNING, January 17, 1883.

**Senate met at 10 o'clock, Lieutenant Governor Hanna in the Chair.**

Prayer was offered by the Rev. I. N. Clark, of South Street Baptist Church, of Indianapolis.

The reading of the Journal was being proceeded with, when, on motion of Senator Rahm, the further reading of the minutes was dispensed with.

Senator McCulloch's substitute to his resolution, and Senator Spann's amendment being made the special order of business, was taken up and read, the question being on the adoption of the substitute.

Pending the discussion on the substitute, Senator Brown asked for the reading of the additional complaint that has been filed in the contest case of Johnson *vs.* Overstreet, which is as follows:

Richard M. Johnson, *Contestor*,  
*vs.*  
Gabriel M. Overstreet, *Contestee.*

*Supplemental Specification of Contest to be laid before the State Senate of the State of Indiana.*

STATE OF INDIANA, COUNTY OF JOHNSON,  
IN THE SENATE OF THE STATE OF INDIANA. }

**Richard M. Johnson, Contestor,**  
*vs.*  
**Gabriel M. Overstreet, Contestee.** } *Supplemental*  
*Specification of Contest.*

**Said contestor for supplemental specification and cause of contest herein avers that the contestor and the said contestee**



were opposing candidates for election to the office of State Senator for the Senatorial district composed of the counties of Morgan and Johnson, in the State of Indiana; that at the general election held in said district on the 7th day of November, 1882, the contestor was, and yet is, eligible to be voted for, and to hold said office of State Senator; and that the contestor received at said election, in said district, four thousand and seventy legal votes; that at said election said contestee received four thousand votes, but was declared duly elected to said office of State Senator; that contestor, in his specification of contest, heretofore filed, and to which this supplemental said contestor has set forth the grounds of his contest as then known to him; that since the filing of the original causes of contest he has discovered a new cause for contest, which was wholly unknown to him at the time of filing the original causes of contest herein named; that, in addition to causes of contest heretofore assigned by contestor, he now contests the election of said Overstreet to said office upon the additional grounds, to-wit: The second statutory cause, viz., that on the said 7th day of November, 1882, before and since that time, the said Overstreet, contestee, was, and yet is, ineligible and disqualified from holding said office of State Senator from said district, to which he was declared elected, in this, to-wit:

That prior to said election the said contestee, Overstreet, did offer and give a bribe of money to procure his said election to said office of State Senator from said district; and said contestor avers that he received more legal votes for said office of State Senator, from said district, at said election, than any other person who was a candidate at said election, for said office.

RICHARD M. JOHNSON.

Subscribed and sworn to before me this 12th day of January, 1883.

[SEAL.]

S. P. SHARIN, Clerk S. C.

The following message was received from the House by the hand of the Principal Clerk thereof:



MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed the following Joint Resolution, providing for the election of Directors of the Prisons North and South, and State Librarian, and the same is transmitted to the Senate for action thereon.

EDWINS, Clerk.

Senator McCulloch demanded the previous question.

And the ayes and nays being demanded and taken, on motion demanding previous question, resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 27.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Fleming, Foulke, Graham, Henry, Hostetter, Keiser, Lockridge, Lindley, McCartney, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 20.

So the motion was adopted.

Senator Hoover announced that he was paired with Senator Campbell on all political questions, and declined to vote.

The following message was received from the House by the hand of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed engrossed Senate Bill No. 49, in relation to holding courts in the counties of Posey and Vanderburgh, and the same is herewith transmitted to the Senate for its action.

EDWINS, Clerk.



On the question, Shall the main question be put?

It was adopted.

The question being on the adoption of the substitute offered by Senator McCulloch.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Howard, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 26.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Fleming, Foulke, Graham, Henry, Hostetter, Keiser, Lockridge, Lindley, Macartney, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 20.

So the question was adopted.

On the question, Shall the substitute be adopted?

It was adopted.

Senator Ristine asked leave of absence this afternoon for Senator Smith of Jay.

Which was granted.

Senator Youche asked leave of absence this afternoon for Senator Duncan.

Which was granted.

Senator Magee offered the following resolution:

WHEREAS, Hon. John W. Foster, Ex-Minister of the United States to Russia, and General Wm. McKee Dunn, both distinguished citizens of this State, are at present visiting in this city; therefore, be it



***Resolved***, That they be invited to occupy seats on the floor of the Senate, and that the courtesies thereof be extended to them.

**Which was adopted.**

Senator Spann offered the following resolution:

***Resolved***, That the Committee on Elections is hereby instructed to make a separate report on the additional causes of contest charging Senator Overstreet with bribery, and that they shall hear evidence on that charge independently of the contest now pending between Johnson and Overstreet, and any evidence heard on said charge of bribery shall not be connected with the contest now pending, but shall be heard on its own merits, and they will make a full, complete and searching investigation into said charges of bribery.

SPANN.

Pending which resolution the Senate adjourned until 2 o'clock this afternoon.



## AFTERNOON SESSION.

WEDNESDAY AFTERNOON, January 17, 1883.

Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

The question being on the adoption of the resolution introduced by Senator Spann, the resolution was taken up, by request of Senator Spann, and read.

Pending the discussion of said resolution, the following message was received from the House by the hand of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has concurred in the amendments to House Bill 150, in relation to the appointment of judges *pro tem.* in criminal courts, and the same is herewith transmitted to the Senate for action thereon.

S. W. EDWINS,  
Clerk House Representatives.

Senator Foulke offered the following amendment to Senator Spann's resolution.

I move to amend by adding:

*Resolved*, That the Committee on Elections require the contestant in the case of Johnson *vs.* Overstreet, to specify the persons to whom the the alleged bribes were offered or given, and the things offered or given as a bribe in each instance, and to file such specifications with the committee and notify the contestee at least three days before the testimony of any witnesses shall be heard in relation thereto.

FOULKE.



Senator Brown moved to lay the amendment of Senator Foulke on the table.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Ernest, Faulkner, Fletcher, Hill, Hilligass, Howard, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Voyles and Willard. Total, 24.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Fleming, Foulke, Graham, Henry, Hostetter, Hutchinson, Keiser, Lockridge, Lindley, Macartney, Sayre, Smith of Delaware, Spann, Van Vorhis, White and Yancey. Total, 19.

So the motion of Senator Brown to lay the amendment on the table was adopted.

Senator Duncan announced that he was paired on all political questions with Senator Youche, and declined to vote.

Senator Ristine announced that he was paired with Senator Smith, of Jay, on all political questions, and declined to vote.

Senator Ernest made the following report from Committee on Enrolled Bills:

MR. PRESIDENT:

The Senate Committee on Enrolled Bills have compared Enrolled Act No. 25, Senate, with engrossed Senate Bill No. 25, and find they compared in every particular.

JOSHUA ERNEST, Chairman.

Senator Spann offered the following resolution and moved its adoption:

WHEREAS, There is now pending a certain contest before the Senate between G. M. Overstreet and R. M. Johnson, as to



eligibility of the said Overstreet to hold his seat as the Senator from the counties of Johnson and Morgan; and

WHEREAS, The notice of contest was duly filed in the proper offices as provided by law, and said charges of contest were specified, and the depositions of witnesses were taken for the contestor and the contestee, sealed and forwarded as the law provides, to the Secretary of State and by him transmitted to the Senate, and by the Senate referred to the Committee on Elections for their investigation; and

WHEREAS, After the said committee had received and published said evidence and papers in said matter of contest, and were proceeding to hear and determine the evidence in said contest, the said R. M. Johnson, the contestor, filed a certain charge of bribery against the said Overstreet, which said charge was filed after the committee had all of the charges and evidence before them; and

WHEREAS, Said charge imputes to the said Overstreet a crime which is infamous and reflects on his character as a citizen, and if true, would disqualify the said Overstreet from holding the office to which he was elected; and

WHEREAS, Said charge is made in general terms and is not specific; therefore, be it

*Resolved*, That the informer, R. M. Johnson, is hereby required to make the said charge of bribery specific as to time, place and persons to whom said bribe or bribes were given or offered; and, be it further

*Resolved*, That the additional cause of contest in which the charge of bribery, in general terms, is made against the Senator from Johnson be withdrawn from the Election Committee, and referred to a committee of the whole Senate for a full, fair and impartial investigation, and the hearing of such case be set down for hearing before the whole Senate, on next Monday at 10 o'clock, and that the Doorkeeper is directed to subpoena such witnesses as the Senate shall direct to appear at that time before the Senate.

Senator Brown moved to lay the resolution on the table.



The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Ernest, Faulkner, Fletcher, Hill, Hilligass, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 26.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Fleming, Foulke, Graham, Henry, Hostetter, Keiser, Lockridge, Lindley, Macartney, Ristine, Sayre, Smith of Delaware, Van Vorhis, White and Yancey. Total, 19.

So the motion to lay the resolution on the table was adopted.

Senate Bill No. 12, was taken up and read a third time.

The question being, Shall the bill pass?

The ayes and nays being taken, resulted as follows:

Those voting in the affirmative were:

Senators Bell, Bichowsky, Compton, Davidson, Duncan, Ernest, Fletcher, Foulke, Graham, Hill, Hilligass, Hoover, Hostetter, Howard, Johnston, Lockridge, Lindley, Macartney, Marvin, May, McClure, McCulloch, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Van Vorhis, Voyles, White and Yancey. Total, 33.

Those voting in the negative were:

Senators Adkinson, Benz, Bundy, Faulkner, Fleming, Henry, Johnson, Keiser, Magee, McIntosh, Null, Spann and Willard. Total, 13.

So the bill passed.

Title was adopted as read.

Senator Spann moved that the soldiers of the Mexican war,



who are holding a meeting in Indianapolis, be invited by committee to visit the Senate this afternoon.

Which was adopted.

The President of the Senate appointed Senators Spann and Voyles to wait on them as such committee.

Senator Lockridge asked leave of absence for Senator McCulloch for the afternoon.

Senate Bill No. 32 was read a third time.

The question being, Shall the bill pass?

The ayes and nays being taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Compton, Davidson, Ernest, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Hostetter, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Marvin, May, McClure, McCulloch, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White and Yancey. Total, 41.

Those voting in the negative were:

Senators McIntosh and Willard. Total, 2.

So the bill passed.

The title was adopted as read.

Senate Bill No. 22 was read a third time.

Senator Willard arose to a point of order, and stated that the rule had not been complied with in engrossing the bill.

The Chair sustained the point of order, and the Secretary was ordered to properly engross said bill, and action on the bill was postponed.

Senate Bill No. 20 was read a third time.



The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bundy, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Hostetter, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Van Vorhis and Yancey. Total, 39.

Those voting in the negative were:

Senators Voyles, White and Willard. Total, 3.

So the bill passed.

The title was adopted as read.

ADDRESS OF WELCOME BY LIEUTENANT GOVERNOR HANNA TO THE  
MEXICAN VETERAN ASSOCIATION.

*Soldiers of the Mexican War:*

GENTLEMEN—In behalf of the Senate of Indiana, I welcome you to the floor of this Senate. More than a third of a century ago, for the vindication of a great principle, you enlisted in the volunteer service of the United States. You carried the flag, contending with the enemy, until the stars and stripes were unfurled in the halls of the Montezumas. While you did not fight for the purpose of conquest, yet in the treaty of peace which was made with the Mexican Government, there was ceded to the United States more square miles of land than lies east of the Mississippi river. It is the opinion of this Senate that the United States Government should grant to the few surviving loyal soldiers of the Mexican war a pension on account of your valuable service. I believe that the life of any man who has served as a soldier for any length of time, has been shortened thereby. . And this great government of ours, being the beneficiary of the sacrifices of the soldier, can well afford and should pension not only the soldiers of the war of



1812 and of the Mexican war, but that the soldiers in the war for the Union should all be pensioned. Mexican soldiers, allow me to again say, welcome!

I am pleased to learn that you meet annually to talk over your battles and look after the interests of your comrades. Your noble action in this matter shows a commendable zeal. Only a few more meetings will fall to your lot. The youngest of you have almost lived the time allotted to man, and soon you will be like the soldiers of the Revolutionary war, a part of the history of the past. Again I welcome you to this Chamber.

General Manson, President of the Mexican Veteran Association, and the members of the association, were introduced by the President of the Senate, Lieutenant Governor Hanna.

General Manson spoke in acknowledgment of the compliment paid the association by the President and Senate of Indiana.

Major Gordon, a member of the Mexican Veteran Association, was also introduced by the Chair, and addressed the Senate.

Governor Porter being present was also introduced by the Chair, and addressed the Senate and the members of the association.

Senator Spann offered the following resolution:

*Resolved*, That we, the Senate of Indiana, recognizing the full value and measure of the valor and loyalty of the soldiers of the Mexican war, who by their achievements taught the people such lessons of loyalty, we hereby return them our thanks for such service and great achievements, and their visit to-day, and pledge ourselves to stand by them in the laudable purpose of obtaining recognition from the Government for such services.

Which was adopted.

On motion of Senator Bell a recess of twenty minutes was taken to afford the Senators an opportunity of a personal intro-



**duction and greeting to the various members of the Mexican Veteran Association.**

**After recess the Senate was called to order by the President, Lieutenant Governor Hanna.**

**Senator Hilligass asked leave of absence for Senator Henry for to-morrow, and stated that he was paired with him on all political questions.**

**Which was granted.**

**Senator Van Vorhis moved that the Senate adjourn.**

**Motion adopted.**

**So the Senate adjourned until to-morrow morning at 10 o'clock.**

**JOHN HANNA,**

**President of the Senate.**



## THURSDAY MORNING.

JANUARY 18, 1883.

The Senate met at 10 o'clock, Lieutenant Governor Hanna in the Chair.

Prayer was offered by the Rev. G. W. Elgin, editor *Indiana Baptist*, Indianapolis.

The reading of the Journal was being proceeded with.

When, on motion of Senator Bell, the further reading of the minutes was dispensed with.

Senator Ernest, from the Committee on Enrolled Bills, made the following report:

The Committee on Enrolled Bills have compared engrossed Senate bill No. 49, with enrolled act No. 49, and find that they correspond in every particular.

JOSHUA ERNEST, Chairman.

## HOUSE BILLS ON SECOND READING.

House bill No. 148 was taken up and read a second time.

Senator Bell, from the Committee on Judiciary, presented the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred House Bill No. 148, being a bill ceding the jurisdiction of this State over certain lands to the United States, have had the same under consideration, and a majority of the committee have directed me to return the bill with the recommendation that it do pass.

R. C. BELL, Chairman.

Which was concurred in.



The following message was received from the House by the hands of the Principal Clerk thereof:

**MR. PRESIDENT:**

I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution No. 6, in relation to the ceding of certain lands to the State of Indiana by the United States, and other matters connected therewith. And the same is herewith transmitted to the Senate for action thereon.

S. W. EDWINS, Clerk.

**SENATE BILLS ON SECOND READING.**

Senate Bill No. 67 was read a second time, with the report of the committee, as follows:

**MR. PRESIDENT:**

The Committee on Judiciary, to whom was referred Senate Bill No. 67, being a bill for an act authorizing municipal corporations to invest their sinking funds in Government, State and county bonds, temporarily, have had the same under consideration, and a majority of the committee have directed me to return the bill with the recommendation that it be amended as follows, viz.:

Insert after the words "sinking fund" in line 11, the words "or any other specific fund held for any purposes whatever." Insert after the words "as the said" in line 15, the word "sinking." Insert after the word "indebtedness" in lines 18 and 19, the words "or said other specific fund can not be or is not used for the purpose for which it is intended."

And that when so amended it do pass.

The report of the committee was concurred in and the bill ordered engrossed.

Senate Bill No. 71 was read a second time.



The following report was presented from the Committee on Judiciary :

MR. PRESIDENT :

The Committee on Judiciary, to whom was referred Senate Bill No. 71, being a bill "providing for the cancelment of debts secured by mortgage by the sale of the mortgaged property, for the repeal of all laws in conflict therewith, and declaring an emergency," have had the same under consideration, and a majority of the committee have directed me to return the bill, with the recommendation that it be indefinitely postponed.

Which was adopted.

Senate Bill No. 76 was read a second time, with the report of the committee, as follows :

MR. PRESIDENT :

The Committee on Judiciary to whom was referred Senate Bill No. 76, being a bill to amend section six (6) of an act entitled "An act to provide for a homestead and exempting it from sale on execution, and exempting certain personal property from attachment and sale on execution or distress for rent, and repealing all laws in conflict herewith," have had the same under consideration, and a majority of the committee have directed me to return the bill with the recommendation that it lie on the table.

F. J. VAN VORHIS,  
From Committee.

Senator Spann moved to recommit the bill to the Committee on Revision of Statutes.

Which was adopted.

Senator Spann asked leave of absence for Senator Bell until to-morrow evening, and stated that he was paired with him on all political questions.

Which was granted.



Senate Bill No. 79 was read a second time.

Senator McCulloch, from the Committee on Judiciary, presented the following report:

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Senate Bill No. 79, being an act to amend sections 4 and 7 of an act entitled "An act providing for the establishment of a State Bureau of Statistics," etc., having had the same under consideration, and a majority of the Committee have directed me to return the bill with the recommendation that it lie on the table.

McCULLOCH.

The report of the Committee was concurred in.

Senate Bill No. 84 was read a second time, with the report of the Committee, as follows:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate Bill No. 84, being a bill "defining cruelty to animals, declaring it a misdemeanor, providing for the destruction of animals in certain cases, and to prevent cruelty to animals; also, providing penalties, and repealing all laws on the subject," have had the same under consideration, and a majority of the Committee have directed me to return the bill with the recommendation that it lie on the table.

Senator Foulke moved that the bill be recommitted to Committee on Judiciary.

Senator Willard moved to amend by sending the bill to the Committee on Revision of the Laws.

Which was adopted.

So the bill was committed to the Committee on Revision of Laws.

The Chair announced that Thomas R. Edwards, of Hancock county, has been appointed a Page of this Senate, in the stead of Bertie Hollis, of Greene county, who had resigned.



Senate Bill No. 85 was read a second time, with the report of the committee, as follows:

MR. PRESIDENT:

The Committee on Judiciary, to which was referred Senate Bill No. 85, having considered the same, do recommend that section 1 be amended by inserting after the word "church" the words "graded school," that section 2 be stricken out, and when so amended, that the bill do pass.

GRAHAM,

For Majority of Committee.

The report was concurred in, and the bill with amendments ordered engrossed.

Senate Bill No. 88 was read a second time, with the report of the committee as follows:

MR. PRESIDENT:

Your committee to whom was referred Senate Bill No. 88, entitled "A bill for an act to amend section 4 of an act entitled 'An act to authorize the formation of companies,' " etc., report that we have had the same under consideration, and recommend that the bill do pass.

JAMES HILL,

Chrm'n of Com. on Co. and Tp. Business.

The report of the committee was concurred in and the bill was ordered engrossed as amended.

House Concurrent Resolution No. 5, which is as follows, was read, which was in relation to the election of State Librarian and Prison Directors, viz.:

*Resolved by the House of Representatives, the Senate concurring therein, That the Senate and House of Representatives will meet in joint convention in the hall of the House, on Tuesday, January 23, 1883, at 11 o'clock A. M., for the purpose of electing a State Librarian and two Directors of the Prison South, and three Directors of the State Prison North.*

SCHLOSS.



On motion of Senator Marvin the Senate concurred in the resolution.

Senator Magee moved recess of fifteen minutes to receive Hon. McKee Dunn and Dr. Moss, President of Indiana University.

The motion prevailed.

Hon. McKee Dunn was introduced by the Chair to the Senate, whereupon he delivered a speech to the Senate.

Also, Dr. Moss was introduced, and made a brief speech.

The House Concurrent Resolution No. 6, asking certain lands to be ceded to the State of Indiana by the United States, was taken up and read and referred to the Committee on Canals, Internal Improvements and Swamp Lands.

Senator Spann offered the following memorial:

MR. PRESIDENT:

I offer the following memorial from Rev. Thomas G. Beharrel, Chaplain of the Southern Prison, and ask that the same be referred to the Committee on Prisons and Reformatory Institutions.

The memorial is entitled "A Plea for Criminals."

Said memorial was referred, without reading, to the Committee on Prisons and Benevolent and Reformatory Institutions.

Senator Voyles presented a petition from citizens of Washington county, asking the Senate and House of Representatives of the State of Indiana to take such immediate action as will secure the early repassage and the submission to a vote of the people, for their ratification or rejection, of the prohibitory amendment to our State Constitution. Signed by forty-four voters of said county.

Which was referred, without reading, to the Committee on Temperance.



Senator Bundy presented a petition from citizens of New Carlisle, St. Joseph county, praying the Senate to submit to the qualified voters of Indiana, at a special election, an amendment to the Constitution prohibiting the manufacture and sale of alcoholic liquors as a beverage, signed by thirty-two voters and twenty-six other citizens.

Which was referred, without reading, to the Committee on Temperance.

Senator Yancey presented a petition from the citizens of Clinton county, on the same subject, signed by seventy-two voters and 106 other citizens.

Which was referred, without reading, to the Committee on Temperance.

Senator Spann presented a petition from the citizens of Clinton county, on the same subject, signed by thirty-one voters and sixty-nine other citizens.

Which was referred, without reading, to the Committee on Temperance.

Senator Spann presented a petition from citizens of Fountain county, on the same subject, signed by nineteen voters and two other citizens of said county.

Which was referred, without reading, to the Committee on Temperance.

Senator Lindley presented petitions from citizens of Parke county, on the same subject, signed by thirty-six voters and thirty-eight other citizens of said county.

Which were referred, without reading, to the Committee on Temperance.

Senator Sayre presented the following petition :

A petition from citizens of Wabash county praying your honorable body to submit to the qualified voters of Indiana, at a special election, an amendment to the Constitution prohibiting the disfranchisement of any citizen on account of sex.

SAYRE.



Which was referred to the Committee on Rights and Privileges.

Senator Willard presented the following petition :

*To the General Assembly of Indiana :*

WHEREAS, We, the County Board of Education and teachers of Dubois county, in the State of Indiana, being fully satisfied, by experience and otherwise, that the fund for defraying the expenses of a well regulated institute; and

WHEREAS, We believe that in case the general average of teachers in attendance is a number sufficient to justify, an institute fund of one hundred dollars would greatly add to the interest of the institute and the good of the schools, as the teachers would thereby receive more competent instruction in the art and science of teaching; and

WHEREAS, We believe that this can be secured by a special act of the Legislature; therefore,

*Resolved*, That we do earnestly pray the Legislature, at its Biennial Session, 1883, to amend the 159th section of the Indiana School Law, so that it will read after the following manner: "In order to encourage Teachers' Institutes, the several County Auditors of the several counties shall, whenever the County Superintendent of their county shall file with said Auditor his official statement, showing that there has been held, for five days, a Teachers' Institute in said county, with an average attendance of twenty-five teachers, or persons preparing to become such, draw his warrant in favor of said County Superintendent on the County Treasurer for thirty-five dollars; and in case there should be an average attendance of forty teachers, or persons preparing to become such, draw his warrant in favor of said County Superintendent on the said Treasurer for fifty dollars; and in the case there should be an average attendance of fifty-five teachers, or persons preparing to become such, then the said County Auditor shall draw his warrant on the Treasurer for \$100, for the purpose of defraying the expenses of said institute: *Provided, however*, That but one of said payments be made in the same year."

*Resolved*, That a copy of these resolutions be sent, one to our



Representative, and another to the State Senator from this District.

Adopted by the Board of Education, September 1, 1882.

A. M. SWEENEY, President.

Which was referred to the Committee on Education.

Senator Howard presented the following petition:

A petition from the citizens of Shelby county, praying your honorable body to submit to the qualified voters of Indiana, at a special election, an amendment to the Constitution prohibiting the manufacture and sale of alcoholic liquors as a beverage.

HOWARD.

Which was referred to the Committee on Temperance without reading.

Senator Adkinson presented a petition on the same subject, as follows:

A petition from citizens of Howard county, praying your honorable body to submit to the qualified voters of Indiana, at a special election, an amendment to the Constitution prohibiting the manufacture and sale of alcoholic liquors as a beverage. Signed by sixty-six voters.

Which was referred to the Committee on Temperance without reading.

Senator Hilligass presented the following petitions:

A petition from 209 voters of Clear Creek township, Huntington county, praying the repassage and submission of the prohibitory amendment to a vote of the people of Indiana, for their ratification or rejection.

Also, on same subject, a petition signed by fifteen voters of Huntington township, same county.

Also, one on same subject, signed by forty-three voters of same county.

Also, one on same subject, signed by ninety-seven voters of Huntington township, same county.



Also, one on same subject, signed by 150 voters of Jackson township, same county.

Also, one on same subject, signed by 261 voters of Dallas township, same county.

Also, one on same subject, signed by 108 voters of Lancaster township, same county.

Also, one on same subject, signed by thirty-three voters of Wayne township, same county.

Also, one in same county on same subject, signed by twenty-eight voters of Dallas township.

Also, one on same subject, signed by thirty-two voters of Rock Creek township, same county.

Also, one on same subject, signed by forty-eight voters of Polk township, same county.

Also, one on same subject, signed by eighteen voters of same county.

All of which were referred to Committee on Temperance without reading.

Senator Bundy, from Committee on Judiciary, presented reports on Senate Bills 89, 52, 75, 99 and 112.

Which were read and reported back.

Senator Voyles, from the Committee on Judiciary presented report on Senate Bill No. 113.

Which was read.

Senator Ernest, from the Committee on Roads, presented report on Senate Bill No. 6.

Which was read.

Senator Ristine, from the same committee, presented the minority report on Senate Bill No. 6.

Which was read.

Senator Ernest, from the Committee on Roads, presented report on Senate Bill, No. 48.

Which was read.



Senator Ernest, from Committee on Judiciary, presented report on Senate Bill No. 2.

Senator Hoover, from Committee on Swamp Lands, presented report on Senate Resolution No. 2, as follows:

*To the President of the Senate:*

Your committee, to whom was referred Senate Resolution No. 2, authorizing the printing for distribution among the Senators of one thousand copies of the report of Professor Campbell of the survey of the Kankakee marsh, recommend that said resolution be amended to read three thousand instead of two thousand, and that after being so amended it do pass.

FRED. HOOVER,

W. B. HUTCHINSON,

RUFUS MAGEE,

L. S. NULL,

E. H. BUNDY,

J. W. YOCHE,

L. D. ADKINSON,

Committee on Swamp Lands, etc.

Senator Adkinson offered the following resolution:

WHEREAS, The Bell Telephone Company, organized under the laws of the State of Massachusetts, having its principal office in the city of Boston, and now doing business in the State of Indiana, said telephone being patented in all its essential parts, all of which patents are owned by said company, thereby creating a monopoly by which all others, either persons or corporations, are precluded from its use; and

WHEREAS, It is believed that the tariff of rates established by said company is exorbitant and disproportioned to the cost and maintenance of said telephone; therefore, be it

*Resolved*, That the Committee on Corporations be and is hereby instructed to inquire into the subject matter, and report to the Senate at an early day what action can or should be had



in the premises for the protection of the public against imposition by said company.

Which was referred to the Committee on Corporations.

Senator Willard called up resolution on public buildings and new State House, which was read, and is as follows:

*Resolved*, That the Committee on Public Buildings and State Library be and are hereby instructed to inquire into the present condition of the new State House, and examine thoroughly the needs of the commissioners and contractors of said building, and the probability of any completion of said building, and report to this House either by bill or otherwise; and said committee is hereby duly empowered and authorized to send for all necessary papers and persons to accomplish a full and complete investigation of said matters.

WILLARD.

Senator Willard moved its adoption.

Senator Brown moved its postponement until Monday next, at 2 o'clock, and made a special order.

Senator Brown withdrew his motion to postpone.

The question being on the adoption of the resolution.

The resolution was adopted.

Senator Willard moved to reconsider the vote and to lay that motion on the table.

Which was adopted.

On motion, the Senate adjourned until this afternoon at 2 P. M.



## THURSDAY AFTERNOON.

JANUARY 18, 1883.

Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

Senator Adkinson introduced Senate Bill No. 135, entitled:

An act concerning real estate and titles thereto.

Which was read a first time and referred to Committee on Judiciary.

Senator Davidson introduced Senate Bill No. 136, entitled:

An act making the Township Trustee of each civil township Superintendent of Roads and Highways in his township, and fixing a commutation road tax in connection with road labor, and repealing all laws in conflict with this act.

Which was read a first time and referred to Committee on Roads.

Senator Fletcher introduced Senate Bill No. 137, entitled:

An act defining rape and prescribing punishment therefor, and amending sections 16 and 17 of an act entitled "An act concerning public offenses and their punishment," approved April 14, 1881, being sections 1917 and 1918 of the Revised Statutes of 1881.

Which was read a first time and referred to the Committee on Judiciary.

The following message was received from the House by the hands of the Principal Clerk:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the Speaker has signed Senate Enrolled Bill No. 49, in relation to holding courts in the counties of Posey and Vanderburgh, and other matters connected therewith.



Also, Senate Enrolled Bill No. 25, in relation to appropriating moneys to pay the Indiana Legion and Minute Men, and other matters connected therewith, and the same is herewith transmitted to the Senate for its action.

EDWINS, Clerk.

Also, Enrolled House Bill No. 150, in relation to the appointment of Judges *pro tem.* for Criminal Courts, and other matters connected therewith, and the same is hereby transmitted to the Senate for action thereon.

S. P. EDWINS, Clerk.

Senator Magee introduced Senate Bill No. 138, entitled :

A bill on the subject of railroad crossings at grade.

Which was read a first time and referred to the Committee on Railroads.

Senator Howard asked indefinite leave of absence for Senator Hostetter, by reason of sickness, and stated that he was paired with him on all political questions until his return.

Which was granted.

Senator Marvin introduced Senate Bill No. 139, entitled :

An act relating to gravel, macadamized or paved roads, and to protect the same from heavy burdens.

Which was read a first time and referred to Committee on Roads.

The President of the Senate announced that he had signed Senate Act No. 49, Senate Act No. 25, and House Bill No. 150.

Senator Overstreet introduced Senate Bill No. 140, entitled :

A bill for an act to amend sections 647 and 648 of an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity, approved June 18, 1852.

Which was read a first time, and referred to the Committee on Judiciary.



Senator Richardson introduced Senate Bill No. 141, entitled:

A bill for an act to repeal an act entitled "An act to authorize aliens to hold titles to real estate and convey the same," approved April 16, 1881, being section 2967 of the Revised Statutes of 1881.

Which was read a first time and referred to the Committee on Judiciary.

Senator Smith, of Jay, introduced Senate Bill No. 142, entitled:

A bill for an act concerning elections, providing penalties and repealing all laws in conflict therewith.

Which was read a first time and referred to Committee on Elections.

Senator Spann introduced Senate Bill No. 143, entitled:

An act entitled "An act to amend section 84 of an act entitled 'an act concerning taxation,' " approved March 29, 1881.

Which was read a first time and referred to Committee on Railroads.

Senator Van Vorhis introduced Senate Bill No. 144, entitled:

A bill for an act to amend sections 4 and 5 of an act entitled "An act supplementary to an act," approved March 14, 1867, entitled "An act to repeal all general laws now in force for the incorporation of cities," etc., approved March 8, 1881.

Which was read a first time and referred to Committee on Judiciary.

Senator White introduced Senate Bill No. 145, entitled:

An act to amend section 34 of an act entitled (section 425, R. S. 1881,) "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing fees for certain officers therein named, and for the establishment and regulation of township libraries, and repealing all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865.

WHITE.

Which was read a first time and referred to Committee on Education.



Senator Youche introduced Senate Bill No. 146, entitled:

A bill for an act in relation to petitions for rehearing in the Supreme Court.

Which was read a first time and referred to Committee on Judiciary.

Senator Hilligass introduced Senate Bill No. 147, entitled:

A bill to amend section 4369 of the Revised Statutes of 1881, being section 8 of an act entitled "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," etc., approved March 8, 1873.

Which was read a first time and referred to Committee on Education.

Senator Brown introduced Senate Bill No. 148, entitled:

A bill to amend section 419 of the Code of Civil Procedure of 1881.

Which was read a first time and referred to the Committee on Judiciary.

Senator Magee introduced Senate Bill No. 149, entitled:

An act authorizing the sale and conveyance of certain lands belonging to the State of Indiana and disposing of the proceeds thereof, and providing for the recovery of the possession of any lands of the State unlawfully occupied, and for the rent of any of the land of the State until sold.

Which was read a first time and referred to the Committee on Canals, Internal Improvements and Swamp Lands.

Senator Lindley introduced Senate Bill No. 150, entitled:

An act supplemental to an act providing for the settlement and distribution of decedents' estates, approved April 14, 1881, and repealing all laws in conflict therewith.

Which was read a first time.



Senator Bundy made a motion as follows:

MR. PRESIDENT:

I move to refer Senate Bill No. 150 to a special committee of five, and that Senate Bills Nos. 9 and 56, on the same subject, be withdrawn from the Judiciary Committee and referred to the same Committee.

BUNDY.

Which motion was adopted.

And the Chair appointed committee as follows:

Senators Bundy, Smith of Jay, Henry, Ristine and McCulloch.

Senator Lockridge introduced Senate Bill No. 151, entitled:

A bill to amend section 9 of an act entitled, "An act providing for the election of Clerks of the Circuit Court, and prescribing some of their duties, and declaring an emergency," approved June 7, 1852.

Which was read a first time and referred to the Committee on Judiciary.

Senator McCulloch introduced Senate Bill No. 152, entitled:

A bill for an act supplemental to an act entitled, "An act concerning public offenses and their punishment," approved April 14, 1881.

Which was read a first time and referred to the Committee on Judiciary.

Senator Ristine called up Senate Bill No. 22, and moved reconsideration for engrossment.

Which was adopted.

And he then moved that the bill be recommitted to Committee on Roads.

Which motion was adopted.

Senate Resolution No. 2, with report of committee thereon, was taken up and read.



Senator Spann moved the following amendment:

MR. PRESIDENT:

I move to amend the report by adding that the State Printer shall distribute said 3,000 copies *pro rata* among the members of the General Assembly (Senate and House), for distribution among their constituents.

SPANN.

Senator Willard made the following motion:

I move to recommit the resolution with amendment to the Committee on Printing, with instructions to report the cost.

WILLARD.

Senator Brown moved the previous question.  
Which was ordered.

The main question was put.

The question being on Senator Willard's motion.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Howard, Johnston, Marvin, May, McClure, McCulloch, McIntosh, Voyles, Willard and Yancey. Total, 18.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Fleming, Foulke, Graham, Hill, Hilligass, Hoover, Keiser, Lockridge, Lindley, Macartney, Magee, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Van Vorhis, White and Youche. Total, 24.

So the motion was rejected.

On the motion for the adoption of the amendment by Senator Spann, the question was put and the amendment was adopted.



On the question of concurring in the report of the committee, the ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bundy, Fleming, Foulke, Graham, Hill, Hilligass, Hoover, Hutchinson, Keiser, Lockridge, Lindley, Macartney, Magee, Null, Overstreet, Rahm, Ristine, Sayre, Smith of Delaware, Smith of Jay, Van Vorhis, White and Youche. Total, 24.

Those voting in the negative were:

Senators Benz, Bichowsky, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Howard, Johnston, Johnson, Marvin, May, McClure, McCulloch, McIntosh, Richardson, Spann, Voyles, Willard and Yancey. Total, 22.

So the report of the committee was concurred in.

So the question being on the adoption of the resolution, the resolution was adopted.

Senator Foulke presented petitions asking the Senate and House of Representatives of the State of Indiana to take such immediate action as will secure the early repassage and submission to a vote of the people, at a special election, for their ratification or rejection, of the prohibitory amendment to our State Constitution, as follows:

A petition signed by eighty-nine voters of Franklin township, Wayne county.

A petition signed by twenty-seven voters of Wayne township, Wayne county.

And also a petition signed by 182 voters of Jackson township, Wayne county.

Which said petitions were referred, without reading, to the Committee on Temperance.

Senator Benz presented petitions as follows, on the same subject:



One signed by seventeen voters of Webster Township, Harrison county.

And one signed by twenty-five voters of Spencer township, Harrison county.

Which were referred, without reading, to the Committee on Temperance.

Senator Bichowsky presented a petition signed by 113 voters of Harrison township, Vigo county, on the same subject.

Which was referred, without reading, to the Committee on Temperance.

Senator Bundy presented the following petitions, on the same subject, to-wit:

One signed by 156 voters of Spiceland township, Henry county.

And also one signed by eighty-two voters of Harrison township, Henry county.

Which were referred, without reading, to the Committee on Temperance.

Senator Compton presented a petition on the same subject signed by sixty voters of Wayne township, Owen county.

Which was referred, without reading, to the Committee on Temperance.

Senator Davidson presented the following petitions on the same subject, to-wit:

One from Polk township, Marshall county, signed by fifty-one voters.

One from Greene township, Marshall county, signed by nine voters.

And one other from Marshall county, signed by forty-four voters.

Which were referred, without reading, to the Committee on Temperance.

Senator Duncan presented the following petitions on the same subject, to-wit:



One signed by forty-one voters from Washington township, Brown county.

And also one signed by sixteen voters from Van Buren township, Brown county.

Which were referred, without reading, to the Committee on Temperance.

Senator Faulkner presented a petition on the same subject, signed by thirty-five voters of Brookville, Franklin county.

Which was referred, without reading, to the Committee on Temperance.

Senator Hilligass presented the following petitions on the same subject, to-wit:

One signed by twenty-four voters of Rock Creek township, Wells county.

One signed by thirty voters from Poneta and vicinity, Wells county.

And one signed by thirty-seven voters of Wells county.

Which were referred, without reading, to the Committee on Temperance.

Senator Howard presented a petition on the same subject, signed by sixty voters of Brandywine township, Shelby county.

Which was referred to the Committee on Temperance.

Senator Johnson presented a petition on the same subject, signed by sixty-nine voters of Lafayette, Tippecanoe county.

Which was referred to the Committee on Temperance.

Senator Marvin presented a petition on the same subject, signed by forty voters of Owen and Washington townships, Clinton county.

Also, one by thirteen voters of Center township, Clinton county.

Which were referred to the Committee on Temperance.

Senator McClure presented a petition on the same subject, signed by twenty-seven voters of Jeffersonville, Clark county.



Also, one by one hundred and twenty-two voters of Utica and Jeffersonville, Clark county.

Which were referred to the Committee on Temperance, without reading.

Senator McCulloch presented a petition on the same subject, signed by twenty-seven voters of Columbia township, Gibson county.

Which was referred to the Committee on Temperance, without reading.

Senator McIntosh presented a petition on the same subject, signed by thirty-three voters of Stockton township, Greene county.

Which was referred to the Committee on Temperance, without reading.

Senator Smith, of Delaware, presented the following petitions on same subject:

One signed by twenty-eight voters of Union township, Delaware county.

Also, one signed by sixty-four voters of Center township, same county.

Also, one signed by twenty-three voters of Union City, Randolph county.

Also, one signed by forty-four voters of Wayne township, same county.

Also, one signed by thirty-nine voters of White River township, same county.

Also, one signed by forty-five voters, same township and county.

Also, one signed by twenty-six voters, same township and county.

Also, one signed by twenty-nine voters of Wayne township, same county.

All of which were referred to the Committee on Temperance, without reading.



Senator Spann presented a petition on the same subject, signed by sixty voters of Fayette county.

Which was referred to the Committee on Temperance, without reading.

Senator Yancey presented a petition on same subject signed by fourteen voters of Jackson township, Hancock county.

Also, one signed by thirty-one voters of Blue River township, same county.

Also, one signed by ten voters of Jackson township, same county.

Also, one signed by voters of Greenfield, Hancock county.

All of which were referred to the Committee on Temperance, without reading.

The President of the Senate presented one petition from Harrison Peppel, from Fayetteville, Lawrence county.

Also, one signed by S. H. Swaim, of Warren, Huntington county.

Which were referred to Committee on Temperance, without reading.

On motion, the Senate adjourned until Friday morning at 10 o'clock.

THOMAS HANNA,

President of the Senate.



## MORNING SESSION.

FRIDAY MORNING, January 19th, 1883.

**Senate** met at 10 o'clock, Lieutenant Governor Hanna in the Chair.

Prayer was offered by the Rev. J. N. Beard, of Central Avenue Methodist Church, Indianapolis.

The reading of the Journal was being proceeded with.

When, on motion of Senator McIntosh, the further reading of the minutes was dispensed with.

Senator Brown, from the Committee on Judiciary, offered the following report:

**MR. PRESIDENT:**

Your Committee on Judiciary, in accordance with instructions contained in a resolution of the Senate, have examined the Journals of the House of Representatives and Senate of the last General Assembly, and respectfully report that, while said Journals show that propositions to amend the Constitution were under consideration in both House and Senate of the General Assembly, and appear to have been in some form agreed to, there is no entry, as commanded by Section 1, Article XVI, of the Constitution, upon either of said Journals by which your committee can determine what said propositions were. Nor is there anything upon said Journals to show that either the House of Representatives or Senate of the last General Assembly referred, or intended to refer, any proposition to amend the Constitution to this Assembly.

A majority of your committee, are therefore of the opinion



that there is no amendment to the Constitution purposed by the last General Assembly awaiting the action of this Senate.

R. C. BELL,

S. B. VOYLES,

J. B. BROWN,

J. E. McCULLOCH,

FLAVIUS J. VAN VORHIS.

Committee.

Senator Bundy, from the Committee on Judiciary, presented the following minority report:

MR. PRESIDENT:

The Judiciary Committee of the Senate, to whom was referred the resolution of the Senator from Marion (Van Vorhis), have had the same under consideration, and a minority of said committee would respectfully report thereon, as follows:

We have examined the printed Journals of the Senate and House of Representatives of the Assembly of 1881, and find thereon the following entries:

On the House Journal, the following:

MARCH 15, 1881.

Mr. Huston, by consent, introduced "House Joint Resolution No. 7," a Joint Resolution proposing an amendment to the Constitution of the State of Indiana, by inserting article XVII, forever prohibiting the manufacture, sale, or keeping for sale, in the State of Indiana, spiritous, vinous, malt, or any other intoxicating liquors; *except* for scientific, medical, mechanical, and wines for sacramental purposes, and providing for regulating sales for said purposes.

That said resolution was then read the first time and referred to the Committee on Temperance.

That on the 29th of March, 1881, said resolution was reported back from the Committee on Temperance with a majority and minority report thereon, the former recommending the passage of the resolution, and the latter that it lie on the table.



That the majority report was concurred in.

That on the 30th day of March, 1881, the said resolution proposing an amendment to the Constitution of Indiana, was agreed to in the House of Representatives by a majority of the members elected to said House, as shown by the following vote, taken by yeas and nays and entered on said Journal, to-wit:

The question being, Shall the Joint Resolution pass?

Those voting in the affirmative were:

Messrs. Akin, Baker, Bartlett, Beatty, Bryant, Buskirk, Carr of White, Carter, Compton, Cotton, Cummins, Fall, Fancher, Floyd, Franklin, Frazier, Fuller, Furnas, Gardner, Gillam, Gilman, Gregory, Hamilton, Hinton, Huston, Johnson, Kain, Lindley, Lindsay, Marshall, Mason, Meredith, Miles, Mitchell, Moody, Murray, O'Brien, O'Neal, Roberts, Robison of Decatur, Ryan, Shields, Smelser, Stewart, Sumner, Taylor of Lagrange, Taylor of Noble, Teter, Thompson, Vawter, Weaver, Westfall, Wheeler, Wilson of Montgomery, Wilson of Morgan, Wright. Ayes, 56.

Those voting in the negative were:

Messrs. Barnett, Benham, Cabbage, Carr of Whitley, Cauthorn, Chandler, Cole, Cooper, Davis, Edwins, Gibson, Ham, Hammond, Hargrove, Hottell, Huff, Jackson, Kerr, Lee, McClure, McCormick, McDowell, McIntosh, McSheehy, Messick, Miller, Neff, Null, Robinson of Ripley, Roelker, Schwitzer, Sinclair, Sulser, Walz, Wolfe, and Mr. Speaker. Nays, 36.

So the Joint Resolution passed.

*Ordered*, That the Clerk inform the Senate thereof.

The question being, Shall the title, as read, stand as the title to said Joint Resolution?

It was ordered.

We find on the Senate Journal the following entries concerning said Joint Resolution:

That on the 31st day of March, 1881, a message was received



from the House informing the Senate of the passage of House Joint Resolution No. 7, a Joint Resolution proposing an amendment to the Constitution of the State of Indiana, by adding thereto the 17th section. (Senate Journal, page 817.)

That on the 5th day of April, 1881, Mr. Spann moved to take up House Joint Resolution No. 7, a Joint Resolution proposing an amendment to the Constitution of the State of Indiana, by adding thereto the 17th section.

And the same was taken up and referred to the Judiciary Committee, and reported back with a majority report recommending its passage. That it was read a second time on the 7th day of April, 1881. (Senate Journal, page 908), and a third time on the 8th day of April, 1881, (Senate Journal, page 928,) and on that day the said resolution was agreed to in the Senate by a majority of the members elected to said Senate, as shown by the following vote taken by ayes and nays, and entered on the Senate Journal, to-wit:

*Question.* Shall the resolution pass?

Roll being called, resulted as follows:

Those voting in the affirmative were:

Messrs. Brown, Bundy, Coffey, Comstock, Davidson, Davis, Garrigus, Graham, Grubbs, Hebron, Henry, Hostetter, Kahlo, Keyser, Langdon, Lockridge, Marvin, Owen, Ristine, Sayre, Shaffer, Smith, Spann, White, Wilson and Yancey. Ayes, 26.

Those voting in the negative were:

Messrs. Bell, Benz, Bichowsky, Briscoe, Chapman, Compton, Foster, Hart, Hutchinson, Kramer, Leeper, Majors, Menzies, Rahm, Traylor, Urmstan, Van Vorhis, Viehe, Voyles and Woods. Nays, 20.

So the resolution passed.

Title adopted as read.

That on the 9th day of April, 1881, the Speaker of the House of Representatives announced to the House that he had signed Enrolled House Joint Resolution No. 7, and on the same day the President of the Senate announced to the Senate that he



had signed House Joint Resolution No. 7, and on Monday, April 11, 1881, Albert G. Porter, Governor of Indiana, informed the House of Representatives, by message, that he had received Enrolled House Joint Resolution No. 7, and caused it to be filed in the office of the Secretary of State.

We, also, find by an examination of the House and Senate Journals, that in addition to the joint resolution above referred to, there were three other joint resolutions proposing amendments to the Constitution of the State of Indiana before the last General Assembly, to-wit:

*House Joint Resolution No. 8.*—A joint resolution proposing an amendment to Section 2 of Article II of the Constitution of the State of Indiana.

*Senate Joint Resolution No. 7.*—A joint resolution proposing an amendment to Section 2 of Article VI of the Constitution of Indiana.

*Senate Joint Resolution No. 6.*—A joint resolution proposing an amendment to Section 1 Article VI of the Constitution. Substantially the same proceedings were had concerning the last three Joint Resolutions, in each branch of the General Assembly, as in the case of House Joint Resolution No. 7, above referred to. Each of said resolutions were agreed to by a majority of the members elected to each of the two Houses, and the yeas and nays thereon were entered on the Journals of each House; and enrolled copies of each of them were duly and properly signed by the President of the Senate and Speaker of the House of Representatives, and filed by the Governor of Indiana in the office of the Secretary of State of Indiana.

We further report, that the Joint Resolutions above referred to, as shown by said enrolled Joint Resolutions on file in the office of the Secretary of State, are as follows, to-wit:

*Enrolled Joint Resolution No. 7—House of Representatives.*

STATE OF INDIANA, EXECUTIVE DEPARTMENT.

Received April 9, 1881.

For the Governor.

FRANK H. BLACKLEDGE,  
Secretary.



A joint resolution proposing an amendment to the Constitution of the State of Indiana, by inserting Article XVII, forever prohibiting the manufacture, sale, or keeping for sale, in the State of Indiana, spiritous, vinous, malt, or any other intoxicating liquors, except for scientific, medical, mechanical and wines for sacramental purposes, and providing for regulating sales for said purposes.

*Enrolled Joint Resolution No. 7—House of Representatives.*

*Resolved,* By the General Assembly of the State of Indiana, that the following amendment be, and is hereby proposed to the Constitution of the State of Indiana, to be submitted to the vote of the electors of said State, viz. :

Amend by adding thereto Article XVII, so as to read as follows:

Section 1. The manufacture, sale, or keeping for sale, in said State, spiritous, vinous, malt liquors, or any other intoxicating liquors, except for medical, scientific, mechanical, and wines for sacramental purposes, shall be and is hereby forever prohibited in the State of Indiana.

Section 2. The General Assembly of the State of Indiana, shall provide by law in what manner, by whom, and at what places, such liquors shall be manufactured or sold for medical, scientific, mechanical and sacramental purposes.

WILLIAM M. RIDPATH,  
Speaker of the House of Representatives.

THOMAS HANNA,  
President of the Senate.

Originated in the House of Representatives.

CYRUS T. NIXON,  
Principal Clerk.

Filed, April 11th, 1881.

E. R. HAWN,  
Secretary of State.



## CERTIFICATE.

STATE OF INDIANA,  
OFFICE OF THE SECRETARY OF STATE. } ss:

I, E. R. Hawn, Secretary of State of the State of Indiana, do hereby certify that the annexed is a true, correct and complete copy of an enrolled Joint Resolution, No. 7, of the House of Representatives of the State of Indiana, passed and adopted by the last General Assembly of said State, at the special session thereof, entitled "A Joint Resolution proposing an amendment to the Constitution of the State of Indiana, by inserting Article XVII, forever prohibiting the manufacture, sale, or keeping for sale in the State of Indiana, spiritous, vinous, malt, or any other intoxicating liquors, except for scientific, medicinal, mechanical, and wines for sacramental purposes, and providing for regulating sales for said purposes," as the same was filed in my office April 11, 1881, and now remains upon said file.

In witness whereof I have hereunto set my hand and affixed the seal of the State of Indiana, at the city of Indianapolis, this 16th day of January, A. D. 1883.

[SEAL]

E. R. HAWN,  
Secretary of State.

*Enrolled Joint Resolution, No. 6—Senate.*

STATE OF INDIANA, EXECUTIVE DEPARTMENT.

Received April 14, 1881.

For the Governor,

FRANK H. BLACKLEDGE,  
Secretary.

Senate Joint Resolution, proposing an amendment to Section 1, Article VI, of the Constitution :

*Enrolled Joint Resolution No. 6, Senate.—Resolved by the Senate, the House of Representatives concurring, That the following amendment to the Constitution of the State of Indiana be, and the same is hereby proposed, to-wit: Amend section*



one of the sixth article to read: Section 1. There shall be elected by the voters of the State, a Secretary, an Auditor, and a Treasurer of State, who shall severally hold their offices for four years. They shall perform such duties as may be enjoined by law; and no person shall be eligible to either of said offices more than one term, or four years in a period of eight years.

*Resolved*, That in submitting this amendment to the electors of the State to be voted on it shall be designated as Amendment Number Two.

WILLIAM M. RIDPATH,  
Speaker of the House of Representatives.

THOMAS HANNA,  
President of the Senate.

Originated in the Senate.

WM. H. SCHLATER,  
Principal Secretary of the Senate.

Filed April 20, 1881.

E. R. HAWN,  
Secretary of State.

CERTIFICATE.

STATE OF INDIANA,  
OFFICE OF THE SECRETARY OF STATE. } ss:

I, E. R. Hawn, Secretary of State of the State of Indiana, do hereby certify that the annexed is a true, correct and complete copy of enrolled Joint Resolution No. 6, of the Senate of Indiana, passed and adopted by the last General Assembly of said State, at the special session thereof, entitled "Senate Joint Resolution proposing an amendment to Section 1, Article VI, of the Constitution," as the same appears on file in my office under date of April 20, 1881.

In witness whereof, I have hereunto set my hand and affixed



the seal of the State of Indiana, at the city of Indianapolis,  
this, sixteenth day of January, A. D. 1883.

[SEAL.]

E. R. HAWN,

Secretary of State.

*Enrolled Joint Resolution No. 7—Senate of Indiana.*

STATE OF INDIANA, EXECUTIVE DEPARTMENT.

Received April 14, 1881.

For the Governor:

FRANK H. BLACKLEDGE,

Secretary.

Senate joint resolution proposing an amendment to Section 2 of Article VI of the Constitution :

*Enrolled Joint Resolution No. 7, State of Indiana.—Resolved by the Senate, the House of Representatives concurring, That the following amendment to the Constitution of the State of Indiana be, and the same is hereby proposed, to-wit :*

Amend section two of the sixth article, to read :

Section 2. There shall be elected in each county by the voters thereof, at the time of holding general elections, a Clerk of the Circuit Court, Auditor, Recorder, Treasurer, Sheriff, Coroner and Surveyor, who shall severally hold their offices for four years, and no person shall be eligible to either of said offices more than four years, or one term, in any period of eight years.

*Resolved,* That in submitting this amendment to the electors of the State to be voted on, it shall be designated as Amendment No. 3.

WILLIAM M. RIDPATH,

Speaker of the House of Representatives.

THOMAS HANNA,

President of the Senate.

Originated in the Senate.

WM. H. SCHLATER,

Principal Secretary of the Senate.

Filed, April 14th, 1881.

E. R. HAWN,

Secretary of State.



## CERTIFICATE.

STATE OF INDIANA,  
OFFICE OF THE SECRETARY OF STATE. } ss:

I, E. R. Hawn, Secretary of State of the State of Indiana, do hereby certify that the annexed is a true, correct and complete copy of enrolled Joint Resolution No. 7, of the Senate of Indiana, passed and adopted by the last General Assembly of said State, at the special session thereof, entitled "Senate Joint Resolution proposing an amendment to Section 2 of Article VI of the Constitution," as the same now appears on file in my office under date of April 14, 1881.

In witness whereof I have hereunto set my hand and affixed the seal of the State of Indiana, at the city of Indianapolis, this 16th day of January, A. D. 1883.

[SEAL]

E. R. HAWN,

Secretary of State.

*Enrolled Joint Resolution No. 8—House of Representatives.*

STATE OF INDIANA, EXECUTIVE DEPARTMENT.

Received April 9, 1881.

For the Governor.

FRANK H. BLACKLEDGE,

Secretary.

A Joint Resolution proposing an amendment to Section 2 Article II of the Constitution of the State of Indiana.

*Enrolled Joint Resolution No. 8, House of Representatives.—  
Be it Resolved by the General Assembly of the State of Indiana,  
That the following amendment to the Constitution of the State  
of Indiana be, and the same is hereby proposed, to-wit:*

Amend Section 2 of Article II thereof, so that it will read as follows:

SECTION 2. In all elections not otherwise provided for by this Constitution, every citizen of the United States of the age of twenty-one years and upwards, who shall have resided in the



State during the six months, and in the township sixty days, and in the ward or precinct thirty days, immediately preceding such election, and every person of foreign birth of the age of twenty-one years and upwards, who shall have resided in the United States one year, and who shall have resided in the State during the six months, and in the township sixty days, and in the ward or precinct thirty days immediately preceding such election, and shall have declared his or her intention to become a citizen of the United States, conformably to the laws of the United States on that subject, shall be entitled to vote in the township, ward or precinct where he or she may reside, if he or she shall have been duly registered according to law.

*Resolved*, That in submitting this proposition to the electors to be voted upon, it shall be designated as Amendment No. 4.

WILLIAM M. RIDPATH,  
Speaker of the House of Representatives.

THOMAS HANNA,  
President of the Senate.

Originated in the House of Representatives.

CYRUS T. NIXON,  
Principal Clerk.

Filed April 11, 1881.

E. R. HAWN,  
Secretary of State.

CERTIFICATE.

STATE OF INDIANA,  
OFFICE OF THE SECRETARY OF STATE. } ss:

I, E. R. Hawn, Secretary of State of the State of Indiana, do hereby certify that the annexed is a true, correct and complete copy of Enrolled Joint Resolution Number Eight, of the House of Representatives, passed and adopted by the last General Assembly of the State of Indiana, at the Special Session thereof entitled, "A Joint Resolution proposing an amendment to Section 2 of Article II of the Constitution of the State



of Indiana," as the same was filed in my office, on the 11th day of April, 1881, and now remains on file in my office.

In witness whereof, I have hereunto set my hand and affixed the seal of the State of Indiana, at the City of Indianapolis, this 16th day of January, A. D., 1883.

[SEAL.]

E. R. HAWN,  
Secretary of State.

We further find that said Joint Resolutions were included in and published in the printed volume of the laws of the State of Indiana, passed at the last session of the General Assembly by authority and may be found therein.

We do not find that said resolutions were spread at length upon the Journals of the General Assembly, nor that they were in words referred to this General Assembly.

We do find that they are in the same condition as resolutions heretofore adopted and agreed to as amendments to the Constitution of Indiana which were agreed to by a succeeding General Assembly, and ratified by a majority of the electors of the State of Indiana, and declared by the Governor of the State to have been duly adopted as a part of the Constitution of Indiana.

We therefore find and report to the Senate that the provisions of Section 1, Article XVI, of the Constitution of Indiana have been substantially complied with, and that said several Joint Resolutions above set forth are duly and legally before this General Assembly for its action thereon.

EUGENE BUNDY,  
ROBERT GRAHAM.

Senator Bundy moved that the two reports be made a special order for 10:30 o'clock A. M. next Wednesday, and that one hundred and fifty copies of the reports and resolutions be printed.

The motion was adopted.

Senator Ernest asked leave of absence for Senator Smith, of



Delaware, until 10 o'clock A. M. to-morrow, and stated that he was paired with him on all political questions.

Which was granted.

Senator Ristine asked leave of absence for Senator Smith, of Jay, until noon to-morrow, and stated that he was paired with him on all political questions.

Which was granted.

Senator Ernest, from the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

The Committee on Enrolled Bills have delivered to the Governor on this day, the 18th day of January, 1883, enrolled bills Nos. 25 and 49.

JOSHUA ERNEST, Chairman.

Senator McCulloch, from the Judiciary Committee, made the following motion :

*Resolved*, That Senate Bills Nos. 123 and 98 be withdrawn from the Committee on the Judiciary and referred to the special committee of five on the subject of the settlement of decedents' estates.

Which motion was adopted.

Senator Foulke, from the Joint Committee on Revision of Laws, reported as follows on Senate Bill No. 5 :

MR. PRESIDENT :

Your Committee on Revision of the Laws, to whom was referred Senate Bill No. 5, returns the same, with the recommendation that the bill do pass, which was unanimously concurred in, after hearing testimony in regard thereto.

FOULKE.

Senator Faulkner, from the Committee on Federal Relations, presented the following report on Senate Bill No. 125 :

The Committee on Federal Relations, to whom was referred Senate Bill No. 125, report the same back with the recom-



mendation that the same be amended by adding the following section: Section 2. The repeal of the above entitled act shall have the force and effect to revive the law in force at the time of the passage of the act hereby repealed.

Amend further by changing the number of section 2 of the bill to section 3.

And when so amended the committee recommend that the bill do pass.

C. R. FAULKNER, Chairman.

Senator Lockridge moved that the bill be recommitted to the Committee on Federal Relations.

Which motion was adopted.

Senator Marvin, from the Committee on Benevolent and Reformatory Institutions, made the following report on Senate Bill No. 1:

MR. PRESIDENT:

The Committee on Benevolent Institutions, to whom was referred Senate Bill No. 1, have considered the same, and a majority of the committee have directed me to make the following report:

1. Amend the printed bill by striking out of its title all after the word "herewith."

2. Strike out the word "about" in line one, section two of said printed bill, and insert the word "fifteenth" in line two of said section, and insert the word "twenty-fifth."

3. Strike out sections three (3,) four (4) and five (5) of said bill.

Add the following section:

Section 3. "All laws and parts of laws in conflict with this act are hereby repealed, and especially sections one (1) and two (2) of an act entitled, "An act to provide for an appointment and confirmation of the trustees of the Indiana Asylum for the Blind, the Institution for the Education of the Deaf and Dumb, and the State Hospital for the Insane, and for the more efficient



management and uniform government of the same;" approved March 6th, 1879, and known as sections 2768 and 2769 of the Revised Statutes of 1881, are especially hereby repealed.

4. Change the number of section 7 to section 4.

And when the bill is so amended, that it ought to pass.

MARVIN, Chairman.

Senator Ristine presented the following minority report from same committee on the same bill:

MR. PRESIDENT:

The following members of the Committee on Benevolent and Reformatory Institutions beg leave to make the following minority report:

Your committee having had under consideration Senate Bill No. 1, introduced by the Senator from Jackson, recommend and move that the same be indefinitely postponed.

RISTINE,  
YANCEY,  
SPANN.

Senator Voyles, from the Committee on Fees and Salaries, made the following report on Senate Bill No. 117:

MR. PRESIDENT:

Your Committee on Fees and Salaries, to whom was referred Senate Bill No. 117, having duly considered the same, beg leave to report the said bill back to the Senate, with a recommendation that it be indefinitely postponed.

Respectfully,

S. B. VOYLES, Chairman.

Senator Compton, from the Committee on Organization of Courts, made the following report on Senate Bill No. 72:

MR. PRESIDENT:

Your Committee on Organization of Courts, to whom was



referred Senate Bill No. 72, having duly considered the same, beg leave to report said bill back to the Senate, that the same should be amended as follows:

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That the terms of the Second Judicial Circuit of this State shall be as follows, to-wit: In Warrick county, on the first Mondays of March, June, September and December of each year; in Spencer county, on the first Mondays of January, April, July and October of each year; in Perry county, on the first Mondays of February, May, August and November of each year.

SEC. 2. The courts in Warrick county shall last four weeks, if the business thereof require it, except the June term, which shall last three weeks, if the business thereof require it; the courts in Spencer county shall last four weeks, if the business thereof require it, except the July term, which shall last three weeks, if the business thereof require it; the courts in Perry county shall last three weeks if the business thereof require it, except the August term which shall last two weeks, if the business thereof require it.

SEC. 3. Process returnable to the next terms of said court, as heretofore provided by law, is hereby made returnable to the next terms, respectively, of said courts, as fixed by this act, and all orders of courts, recognizances and publication having reference to the next terms of said courts shall be taken as having reference to said terms, respectively, as fixed by this act, and all persons shall take notice of the times of holding said courts, as herein provided.

SEC. 4. All laws or parts of laws coming in conflict with this act, are hereby repealed.

SEC. 5. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in force from and after its passage, and that when said bill is so amended we recommend the passage of the bill.

Respectfully,

COMPTON,  
Chairman.



Senator Graham, from Committee on Corporations, presented the following report on Senate Bill No. 134:

MR. PRESIDENT:

A majority of the Committee on Corporations, having had under consideration the accompanying bill (S. 134), do report that in the opinion of said committee the bill should pass.

GRAHAM,  
For Majority of Committee.

Senator Overstreet, from the Committee on Corporations, presented the following report on Senate Bill No. 121:

MR. PRESIDENT:

The Committee on Corporations, to whom was referred Senate Bill No. 121, have had the same under consideration, and I am directed by a majority of the committee to report the bill to the Senate with the recommendation that the same do pass.

G. M. OVERSTREET.

Senator Spann offered the following resolution:

*Resolved*, That the Senate Committee on Executive appointments, to whom was referred the names and nominations made by the Governor, for confirmation by the Senate, be, and are hereby directed and instructed to make a report on the same to the Senate forthwith.

SPANN.

Senator Brown moved to lay the motion on the table.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative, were:

Senators Brown, Compton, Davidson, Duncan, Faulkner, Fletcher, Hill, Hutchinson, Johnston, Johnson, Marvin, May, McClure, McCulloch, McIntosh, Rahm, Voyles and Willard.  
Total, 19.



Those voting in the negative, were :

Senators Adkinson, Benz, Bichowsky, Bundy, Fleming, Foulke, Graham, Keiser, Lockridge, Lindley, Macartney, Magee, Null, Overstreet, Sayre, Van Vorhis, White, Yancey, Youche and Mr. President. Total, 20.

So the motion was rejected.

Senator Hilligass announced that he was paired with Senator Henry, and declined to vote.

Senator Howard announced that he was paired with Senator Hostetter, and declined to vote.

Senator Hoover announced that he was paired with Senator Campbell, and declined to vote.

Senator Ristine announced that he was paired with Senator Smith of Jay, and declined to vote.

Senator Spann announced that he was paired with Senator Bell, and declined to vote.

The question being on the adoption of the resolution, the ayes and nays were demanded and taken and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bichowsky, Bundy, Fleming, Fletcher, Foulke, Graham, Keiser, Lockridge, Lindley, Macartney, Magee, Null, Overstreet, Sayre, Van Vorhis, White, Yancey, Youche and Mr. President. Total, 20.

Those voting in the negative were :

Senators Benz, Brown, Compton, Davidson, Duncan, Faulkner, Hill, Hutchinson, Johnston, Johnson, Marvin, May, McClure, McCulloch, McIntosh, Rahm, Richardson, Voyles and Willard. Total, 19.

So the resolution was adopted.

Senator Willard moved that the roll be called for verification. Which was adopted and the roll was called.



Senator Magee moved to reconsider the vote just taken on the adoption of Senator Spann's resolution.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Compton, Davidson, Duncan, Faulkner, Fletcher, Hill, Hutchinson, Johnstone, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Rahm, Richardson, Voyles and Willard. Total, 21.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Fleming, Foulke, Graham, Keiser, Lockridge, Lindley, Null, Overstreet, Sayre, Van Vorhis, White, Yancey and Youche. Total, 17.

So the motion to reconsider was adopted.

Senator Brown moved that the resolution be amended as follows:

That the committee make report to-morrow morning, and the report be made a special order of business for 10:15 o'clock to-morrow morning.

Which amendment was accepted, and the resolution as amended was adopted.

Senator Hilligass offered the following resolution:

*Resolved*, That Senate Bill No. 16 be taken from the table, with the report of the Judiciary Committee, and referred to a special committee of three, with Senator Foulke, of Wayne, as chairman of the committee.

Senator Yancey arose to a point of order, and stated that the resolution was not in order.

The Chair sustained Senator Yancey in his point of order.

Senator Ristine, from Committee on Roads and Highways, made the following report on Senate Bill No. 22:



MR. PRESIDENT :

Your committee, to whom was recommitted Senate Bill No. 22, entitled "An act to amend section 1 of an act," approved March 3, 1881, entitled "an act to amend section 7," etc., have had the same under consideration, and recommend that the same do pass.

JOSHUA ERNEST,  
Chairman Committee on Roads.

Senator Spann offered the following resolution :

*Resolved*, That Captain J. F. Owen be allowed forty dollars (\$40) for services rendered the Doorkeeper of the Senate; and that the President of the Senate be authorized to issue his warrant for the same.

On motion, the resolution was referred to the following committee, viz. :

Messrs. Spann, Brown and Yancey.

Which motion was adopted.

Senator Foulke offered the following resolution :

WHEREAS, William Schlater, Secretary of the Senate of the last General Assembly, prepared an index to the Senate Journal, as required by law, for which no compensation has been paid him as required by law.

*Resolved*, That his claim be referred to a special committee of three, to make such examination as shall be deemed desirable regarding the amount of such claim, which should be allowed, and to recommend such proceedings as may be deemed proper, for the payment of such claim, by insertion in special appropriation bill or otherwise.

Which was adopted.

The Chair appointed Senators Foulke, Brown and Bundy as such committee.

Senator Fletcher introduced Senate Bill No. 153, entitled :

An act providing for the organization and government of the State Prisons, for the appointment of a Board of Directors



to have charge thereof, and for other matters pertaining to the discipline, management and wants of prisons and convicts, and to provide for ex-convicts, and to repeal all laws and parts of laws inconsistent with the provisions of this act.

Which was read a first time and referred to the Committee on Prisons.

Senator Magee called up Senate Bill No. 121, and moved that the rules be suspended and the bill be read a second time by title, considered engrossed, read a third time by sections, and placed upon its passage.

The ayes and nays being demanded and taken, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bundy, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Foulke, Graham, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Van Vorhis, White, Willard, Yancey and Youche. Total, 36.

No one voting in the negative.

So the rules were suspended, and the bill was read a second time by title, with the following report of committee:

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Senate Bill No. 121, have had the same under consideration, and I am directed by a majority of the Committee to report the bill to the Senate, with the recommendation that the same do pass.

G. M. OVERSTREET.

Which report was concurred in.

And the bill was read a third time, by sections.

The question being, Shall the bill pass?

The ayes and nays being demanded and taken, resulted as follows :



Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Bundy, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Lockridge, Lindley, Macartney, Magee, May, McClure, McCulloch, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 37.

No one voting in the negative:

So the bill passed.

And title adopted as read.

Senate Bill No. 2 was read a second time, with the report of Committee on Roads thereon as follows:

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Senate Bill No. 2, beg leave to report that they have had the same under advisement, and unanimously agree that it do pass.

JOSHUA ERNEST, Chairman.

Which was concurred in and the bill ordered engrossed.

Senator Howard stated that he would not consider himself paired with Senator Hostetter after to-day.

Senate Bill No. 75 was read a second time, with the report of the committee thereon, which is as follows:

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Senate Bill No. 75, have had the same under consideration, and a majority of the committee have directed me to return the bill with the recommendation that it do pass.

Senator Foulke moved to recommit, with instructions to amend so as to conform to the rule of the Senate, that it name number of section of Revised Statute referred to in the bill.

Which was adopted.



Senate Bill No. 99 was read a second time, with the report of the committee thereon, which was as follows:

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Senate Bill No. 99, have had the same under consideration, and a majority of the committee have directed me to return the bill with the recommendation that it lie on the table.

Which was concurred in, and the bill was laid on the table.

Senate Bill No. 89 was read a second time with the report of the committee thereon, which was as follows:

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Senate Bill No. 89, have had the same under consideration, and a majority of the committee have directed me to return the bill with the recommendation that it pass.

Which was concurred in, and the bill ordered engrossed.

Senator Lindley asked leave of absence for Senator Compton until to-morrow, and stated that he was paired with him on all political questions.

Which was granted.

Senator McCulloch asked leave of absence for Senator Youche during to-morrow, and stated that he was paired with him on all political questions.

Which was granted.

On motion, the Senate adjourned until 2 o'clock, P. M.



## FRIDAY AFTERNOON.

JANUARY 19, 1883.

Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

Senate Bill No. 112 was read a second time, with the report of the committee thereon, which was as follows:

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Senate Bill No. 112, have had the same under consideration, and a majority of the committee have directed me to return the bill with the recommendation that it lie on the table.

The report was concurred in.

And the bill was laid on the table.

Senate Bill No. 113 was read a second time, with the report of committee thereon, which is as follows:

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Senate Bill No. 113, have had the same under consideration, and a majority of the committee have directed me to return the bill with the recommendation that it pass.

VOYLES.

The report was concurred in and the bill ordered engrossed.

Senate Bill No. 48 was read a second time with the report of the committee thereon, which is as follows:

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Senate Bill No. 48, beg leave to report that they have had the same under advisement, and unanimously agree that it do pass.

JOSHUA ERNEST, Chairman.

The report was concurred in and the bill ordered engrossed.



Senate Bill No. 52 was read a second time, with the report of the committee thereon, which is as follows:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate Bill No. 52, have had the same under consideration, and a majority of the committee have directed me to return the bill with the recommendation that it be amended as follows, viz.:

In section 2, by striking out the word "twenty-five" in line 14, page 6, and insert the word "twenty" in lieu thereof.

Amend section 3, by striking out the word "twenty-five" in line 17, page 9, and insert the word "twenty" in lieu thereof; amend by adding section 4: *Provided*, That nothing in this act shall be so construed as to apply to any sale heretofore made, and by numbering the emergency clause number five (5), and that when so amended the bill do pass.

The report was concurred in, and the bill, with amendment, ordered engrossed.

Senate Bill No. 6 was read a second time, with the following majority report from Senator Ernest, Chairman of the Committee on Roads:

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Senate Bill No. 6, beg leave to report that they have had the same under advisement, and that the lines two and three in section 20 be amended so as to read: "Not less than five cents nor more than forty cents on the one hundred dollars," and thus amended a majority of the committee recommend that it do pass.

JOSHUA ERNEST, Chairman.

The following minority report was also read:

MR. PRESIDENT:

The undersigned member of the Committee on Roads would respectfully submit the following minority report upon Senate Bill No. 6:



Strike out the title and insert the following :

A bill for an act to amend sections 2, 6, 24 and 27 of an act entitled "An act concerning roads and highways," approved April 15, 1881.

Strike out all after the enacting clause and substitute in lieu thereof the following :

That section 2 of the above entitled act be and the same is hereby amended to read as follows :

Section 2. He shall take charge of all roads, highways and bridges in his township, except free gravel roads constructed under act of March 3d, 1877, and toll roads, and cause the same to be kept in as good repair as the prudent use of the means in his hands will permit. He shall execute all orders of the Board of County Commissioners of his county for opening, changing, locating or vacating any road or highway in his township. He shall have control of all funds of his township, for road, highway or bridge purposes. He shall see that all the roads, highways and bridges are of the width required by law. He shall give bond in double the probable amount of funds for roads, highway and bridge purposes which will come into his hands, such bond to be approved by the Board of County Commissioners of his county, and take an oath when first assuming the duties of his office.

SECTION 2. That section six of the above entitled act be amended to read as follows :

Section 6. The Township Superintendent shall in the months of April, May and June of each year, first put all the highways of his township in good, ordinary repair, and with such other means as may be in his hands, proceed to do work denominated extraordinary, upon some portion of the highways of his township which are mostly traveled, and by judicious ditching, draining and making embankments, and grading and building culverts and bridges and such other reasonable means as shall seem to him prudent and best, construct a road with a smooth surface of not less than eighteen feet in width, and when the material is within his reach may cover nine feet in width of such



road with gravel or any material that will make a hard surface, and shall expend all available means in his hands applicable to such purpose by the 15th day of November of each year.

SECTION 3. That section twenty-four (24), of the above entitled act be, and the same is hereby amended to read as follows:

Section 24. Every Township Superintendent in the State is hereby empowered to administer oaths in all cases touching and necessary to the discharge of his official duties, and in the event any such superintendent should resign his office or should die, or his office otherwise become vacant, the Board of Commissioners shall fill the vacancy by appointment.

SECTION 4. That section twenty-seven (27) of the above entitled act be, and the same is amended to read as follows:

Section 27. At the June term of the Board of Commissioners, and annually thereafter, such Board shall levy the poll tax as provided for in this act, and such tax shall be placed upon the tax duplicate by the County Auditor and be collected as other taxes are collected: *Provided, always,* That tax payers may be allowed to work out their own taxes assessed or levied for road purposes, by applying to the Road Superintendent during the year the taxes are collectable, and such work shall be done at the time and place prescribed by the superintendent, and such tax payers desiring to work out such taxes shall work at the customary wages allowed by the superintendent in his township and the receipt of the superintendent shall be received by the County Treasurer for the amount in lieu of so much money.

SECTION 5. An emergency exists for the immediate taking effect of this act, wherefore the same shall take effect and be in force from and after its passage.

The question being on the adoption of the minority report of the committee.

Senator Willard arose to a point of order, to-wit:

That the minority report introduces new and different propositions into the measure.



Point of order not sustained by the Chair.

Senator Bundy moved that further consideration of these reports be postponed until Tuesday, at 2 p. m., and be made a special order of business.

Which motion was adopted.

Senator Overstreet asked that Senator Youche be permitted to occupy Senator Hostetter's seat, now vacant, until the latter Senator returns.

Such consent was granted.

Engrossed Senate Bill No. 88, was read a third time.

The question being, Shall the bill pass?

The ayes and nays were taken, which resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Brown, Compton, Davidson, Duncan, Ernest, Fleming, Graham, Hill, Hilligass, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Van Vorhis, White, Yancey and Youche. Total, 30.

Those voting in the negative were:

Senators Benz, Faulkner, Fletcher, Marvin, May, McClure, Noll and Willard. Total, 8.

So the bill passed.

The title was adopted as read.

The President of the Senate presented the following communication:

*To the Senate and House of Representatives of the State of Indiana:*

At the annual meeting of the Mexican Veterans' Association, held at Indianapolis, January 17, 1883, it was

*Resolved*, That the Senate and House of Representatives of the State of Indiana, now in session, be requested to make a



sufficient appropriation to purchase record books for recording the muster in and the muster out rolls of the Mexican war, and of the late war, and to employ such assistance as the Adjutant General of the State may deem necessary to do the work as is recommended in the annual report of the Adjutant General at the present session.

GILMORE JORDON,  
Secretary Mexican Veteran Association.

Which was referred to the Committee on Military Affairs.

Senator Graham asked leave of absence for Senator Magee, until Monday, 10 o'clock A. M., and stated that he was paired with him on all political questions. He withdrew his statement as to pair, and leave of absence was granted Senator Magee until Monday, 10 o'clock A. M.

Senator Willard asked leave of absence for Senator Lindley, until Tuesday, 10 o'clock A. M., and stated that he was paired with him on all political questions.

Which was granted.

Engrossed Senate Bill No. 85, was read a third time.

Senator Graham moved that the order for engrossment be set aside and the bill be recommitted.

Which motion was adopted.

Senator VanVorhis moved that when the Senate adjourn it adjourn to meet at 10 o'clock, Monday morning next.

The ayes and nays being demanded and taken, resulted as follows :

Those voting in the affirmative were:

Senators Benz, Bichowsky, Bundy, Compton, Duncan, Fleming, Foulke, Graham, Howard, Hutchinson, Keiser, Lockridge, Lindley, Magee, McCulloch, Overstreet, Richardson, Ristine, Sayre, Spann, VanVorhis, White, Willard, Yancey and Youche. Total, 25.



Those voting in the negative were :

Senators Adkinson, Bell, Brown, Ernest, Faulkner, Hill, Hilligass, Hoover, Johnston, Johnson, Macartney, May, Marvin, McClure, McIntosh, Null and Rahm. Total, 17.

So the motion was adopted.

Senator Lockridge asked leave of absence for Senator McCulloch until Tuesday, and stated that he was paired with him on all political questions.

Which was granted.

Senator Magee offered the following resolution :

WHEREAS, The duties of the present clerk of the group of committees on Banking, Fees and Salaries, Corporations, Organization of Courts, and Insurance, are such that he is unable to give the necessary time to the satisfactory discharge of his duties; therefore, be it

*Resolved*, That the chairman of the Committee on Railroads and the chairman of the Committee on Corporations be authorized to employ a clerk for said two committees.

MAGEE.

Which was adopted.

House Bill No. 148 was read a third time and placed upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Brown, Bundy, Davidson, Duncan, Fletcher, Foulke, Graham, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Richardson, Ristine, Sayre, Spann, Van-Vorhis, White, Yancey and Youche. Total, 32.

Those voting in the negative were:

Senators Benz, Faulkner, Willard. Total, 3.

So the bill passed.



Senator Bell moved the following amendment to the title of the bill:

Amend title by inserting after the word "owned," the words "and to be owned and held by the United States, and declaring an emergency."

Which was adopted.

The title as amended and read was adopted.

Senator Youche asked leave of absence for Senator Richardson until next Monday at 2 o'clock, and stated that he was paired with him on all political questions.

Which was granted.

Senator Willard moved to reconsider the vote ordering that when the Senate adjourn it adjourn to meet on Monday at 10 o'clock A. M.

Senator VanVorhis moved to lay that motion on the table.

The ayes and naves being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Bichowsky, Bundy, Compton, Fleming, Foulke, Graham, Johnson, Keiser, Lockridge, Lindley, Overstreet, Ristine, Sayre, Spann, VanVorhis, White, Yancey, and Youche. Total, 18.

Those voting in the negative were:

Senators Bell, Brown, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Hutchinson, Johnston, McCartney, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Voyles, and Willard. Total, 23.

So the motion was rejected.

Senator Spann moved that the Senate do now adjourn.

The ayes and nays being demanded and taken, resulted as follows:



Those voting in the affirmative were :

Senators Adkinson, Bichowsky, Bundy, Compton, Fleming, Foulke, Graham, Keiser, Lockridge, Lindley, Ristine, Sayre, Spann, Van Vorhis, White, Yancey, and Youche. Total, 17.

Those voting in the negative were :

Senators Bell, Brown, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Voyles, and Willard. Total, 26.

So the motion to adjourn was rejected.

On motion to reconsider the vote on adjournment, it was adopted.

The question being on the motion that when the Senate adjourn, it adjourn to meet on Monday morning at 10 o'clock.

The ayes and nays being demanded and taken, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bichowsky, Compton, Fleming, Foulke, Graham, Johnson, Keiser, Lockridge, Overstreet, Ristine, Sayre, Spann, Van Vorhis, White, Yancey, and Youche. Total, 17.

Those voting in the negative were :

Senators Bell, Brown, Bundy, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Hutchinson, Johnston, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Voyles, and Willard. Total, 25.

So the motion was rejected.

Senator Hilligass moved the Senate do now adjourn.

The ayes and nays, being demanded and taken, resulted as follows :



Those voting in the affirmative were:

Senators Bell, Brown, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Hutchinson, Magee, Marvin, May, McCulloch, Sayre, Spann, Voyles, and Willard. Total, 19.

Those voting in the negative were:

Senators Adkinson, Bichwosky, Bundy, Foulke, Graham, Johnson, Keiser, Lockridge, Macartney, McClure, McIntosh, Overstreet, Rahm, Richardson, Ristine, VanVorhis, White, Yancey, Youche, and Mr. President. Total, 20.

So the motion was rejected.

Senator Foulke moved that when the Senate adjourn, it adjourn to meet at 10½ o'clock Monday morning.

Senator Van Vorhis, moved an amendment, that when it adjourn it be to meet at 10½ o'clock to-morrow morning.

Senator Spann moved to amend as follows: That when the Senate adjourn it adjourn to meet at 7 o'clock to-morrow morning.

Senator Marvin moved to lay the amendment on the table.

The ayes and nays being demanded and taken on the motion to lay the amendment on the table, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Brown, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Hill, Hilligass, Hoover, Johnston, Johnson, Keiser, Magee, Marvin, May, McCulloch, Null, Overstreet, Rahm, Richardson, Ristine, Voyles, White and Yancey. Total, 20.

Those voting in the negative were:

Senators Hutchinson, Lockridge, McClure, McIntosh, Sayre, Spann, Van Vorhis, Willard and Youche. Total, 9.

So the amendment was laid on the table.



Senator Spann asked that Senate Bill No. 124 be taken from the committee on Judiciary and referred to Committee on Insurance.

It was so ordered.

When, on motion, the Senate adjourned.

THOMAS HANNA,

President of the Senate.



## SATURDAY MORNING.

JANUARY 20, 1883.

The Senate met at 10 o'clock, Lieutenant Governor Hanna in the Chair.

Prayer was offered by the Rev. C. H. Raymond, pastor of the Eleventh Presbyterian Church, Olive street, Indianapolis.

The reading of the Journal was being proceeded with, when on motion of Senator Benz, the further reading of the minutes was dispensed with.

Senator Bundy presented a petition as follows :

A petition signed by eleven voters of Spiceland township, Henry county, praying for the repassage and submission of the prohibitory amendment to the legal voters of the State of Indiana at a special election.

Which was referred to Committee on Temperance, without reading.

Senator Henry presented a petition on the same subject, signed by seventy voters of Mill township, Grant county.

Which was referred to Committee on Temperance, without reading.

Senator Overstreet presented a petition signed by eighty-one teachers and students of Franklin College, asking legislation requiring instruction to be given in public schools and colleges on the effects of alcoholic liquors upon the brain and character, as an antidote to intemperance.

Which was referred to the Committee on Education, without reading.

Senator Ernest asked leave of absence for Senator Smith of Delaware, until Monday next, and stated that he was paired with him on all political questions.

Which was granted.



Senator Bell presented a petition from citizens of Fort Wayne, concerning the protection of fish.

Which was referred to the Committee on Rights and Privileges, without reading.

Senator Keiser presented petitions asking the repassage and submission of the prohibitory amendment to the legal voters of the State of Indiana at a special election, from the following:

One signed by 199 voters of Penn township, St. Joseph county.

Also, one signed by eighteen voters of Greene township, St. Joseph county.

Also, one signed by thirty-seven voters of Portage township, St. Joseph county.

Also, one signed by 628 other voters of St. Joseph county.

All of which were referred, without reading, to the Committee on Temperance.

Senator Johnson, from the Committee on Education made the following report on Senate Bill No. 66.

MR. PRESIDENT:

Your Committee on Education, to whom was referred Senate Bill No. 66, have had the same under consideration and recommend that it be passed.

FRANCIS JOHNSON,  
Chairman.

Senator Johnson from the same committee reported on Senate Bill No. 147, as follows:

MR. PRESIDENT:

Your Committee upon Education, to whom was referred Senate Bill No. 147, beg leave to report that they have had the same under consideration, and recommend it to lie upon the table:

FRANCIS JOHNSON,  
Chairman.



Senator Davidson, from the Committee on Agriculture, reported on Senate Bill No. 58, as follows:

MR. PRESIDENT:

Your Committee on Agriculture, having had under consideration Senate Bill No. 58, An act to amend section 1 of an act entitled an act for the regulation of weights and measures, unanimously recommend that it do pass.

W. H. DAVIDSON.

Senator Overstreet asked leave of absence for Senator Hill for to-day, and stated that he was paired with him on all political questions.

Which was granted.

Senator Johnson, from the Committee on Education, made the following report on Senate Bill No. 28.

MR. PRESIDENT:

Your Committee upon Education, to whom was referred Senate Bill No. 28, beg leave to report that they have had the same under consideration and recommend that it lie upon the table.

FRANCIS JOHNSON,  
Chairman.

Senator Duncan, from the Committee on Executive Appointments, reports as follows:

MR. PRESIDENT:

A majority of the Committee on Executive Appointments, to which was referred the two messages of the Governor dated Jan. 9, 1883, and Jan. 12, 1883, in relation to his appointments of Trustees for the Benevolent Institutions, beg leave to report that they recommend that the consideration of said appointments be postponed to the 30th day of January, 1883.

JASON B. BROWN,  
D. McCLURE,  
JAMES H. WILLARD,  
W. C. DUNCAN.



Senator Foulke, from the same committee, presented the following minority report:

I am instructed by the minority of the Committee on Executive Appointments to report that said minority recommend that the appointments made by the Governor be forthwith confirmed by the Senate, to-wit:

Trustee Insane Hospital, Geo. W. Burk.

Trustee of Institute for the Education of the Blind, J. H. Resick.

Trustee of the Institution for the the Education of the Deaf and Dumb, James H. Jordon.

President of the Board, John Coburn.

No objection was made to the fitness or competency of any of these gentlemen or to the propriety of any of said appointments by any member of the committee, or by any other person before said committee.

GRAHAM,  
FOULKE,  
BUNDY.

Senator Foulke moved that the reports be made a special order of business for Tuesday, at 11 o'clock A. M.

Which was adopted.

Senator McClure, from the Committee on Public Health and Vital Statistics made the following report on Senate Bill No. 27:

MR. PRESIDENT:

The Committee on Health and Vital Statistics after examining Senate Bill No. 27, recommend that 150 copies of the same be printed for the benefit of the Senate, and that said committee be allowed further time for the consideration of the bill.

Respectfully,

McCLURE.

Chairman of Committee.

Which was so ordered and adopted.



Senator Davidson, from the Committee on Agriculture, reported on Senate Bill No. 62, as follows:

**MR. PRESIDENT:**

Your Committee on Agriculture, having had under consideration Senate Bill No. 62, beg leave to report, that lines four and five of section 3 be amended to read as follows:

“Of a township, or Marshal of any incorporated town or city, shall” and so amended, recommend that it do pass.

W. H. DAVIDSON.

Senator Spann from the select committee, made the following report, and moved that the resolution be adopted:

**MR. PRESIDENT:**

Your special committee, to whom was referred the following resolution, have had the same under consideration, and beg leave to report that they recommend the passage of said resolution.

SPANN,  
BROWN,  
YANCEY,  
Special Committee.

*Resolved*, That Capt. J. T. Owen be allowed forty dollars (\$40.00), for services rendered the Doorkeeper of the Senate and that the President of the Senate be authorized to issue his warrant for the same.

Senator Voyles offered the following amendment.

**MR. PRESIDENT:**

I move to make the amount \$15.00.

VOYLES.

Senator Foulke demanded the previous question.

Not seconded.



Senator Bundy moved the previous question, and it was demanded.

On the question, Shall the main question be put?  
It was so ordered.

The question being upon the amendment of Senator Voyles:

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Duncan, Faulkner, Hoover, Hutchinson, Johnston, May, McCulloch, Rahm and Voyles. Total, 11.

Those voting in the negative were:

Senators Bichowsky, Brown, Bundy, Davidson, Fleming, Fletcher, Foulke, Graham, Henry, Hilligass, Howard, Johnson, Keiser, Lockridge, Macartney, Marvin, McClure, Null, Overstreet, Ristine, Sayre, Spann, VanVorhis, White, Willard and Yancey. Total, 26.

So the motion was rejected.

The question being on concurring in the report of the committee.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Bichowsky, Brown, Bundy, Davidson, Fleming, Fletcher, Graham, Macartney, Marvin, McClure, Overstreet, Ristine, Sayre, Spann, VanVorhis, White, Willard, Yancey and Mr. President. Total, 19.

Those voting in the negative were:

Senators Bell, Benz, Duncan, Faulkner, Foulke, Henry, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, May, McCulloch, McIntosh, Null, Rahm and Voyles. Total, 18.

So the report of the committee was concurred in.



The question being on the adoption of the resolution.

Senator Bundy asked unanimous consent to amend it so as to read \$34 instead of \$40.

Which was granted.

On adoption of the resolution as amended.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Bichowsky, Brown Bundy, Davidson, Fleming, Fletcher, Graham, Henry, Hilligass, Johnson, Keiser, Lockridge, Macartney, McClure, Overstreet, Ristine, Sayre, Spann, VanVorhis, White, Willard and Yancey. Total, 22.

Those voting in the negative were:

Senators Bell, Benz, Duncan, Ernest, Faulkner, Foulke, Hoover, Howard, Hutchinson, Johnson, May, McCulloch, McIntosh, Null, Richardson and Voyles. Total, 15.

So the resolution was adopted.

Senator Spann moved that when the Senate adjourn, it adjourn until Monday next at 2 o'clock P. M.

Which was adopted.

Senator Hilligass asked leave of absence for Senator Sayre until Monday next, at 2 o'clock P. M.

Granted.

Senator Brown asked leave of absence for senator Foulke until Monday next, at 2 o'clock P. M.

Granted.

Senator Brown, by unanimous consent, introduced Senate Bill No. 154, entitled:

An act to provide freedom of elections for employes of manufacturing establishments, and to punish violations thereof.

Which was read a first time and referred to the Committee on Judiciary.



Senator Bichowsky, by unanimous consent, introduced Senate Bill No. 155, entitled :

An act authorizing charitable associations to change their names and declaring an emergency.

Which was read a first time.

Senator Bichowsky moved that the constitutional rules be suspended, the bill be read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

On the question, Shall the rules be suspended ?

The ayes and nays being taken, resulted as follows:

Those voting in the affirmative were :

Senators Bell, Bichowsky, Brown, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Graham, Henry, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Spann, VanVorhis, Voyles, White and Willard. Total, 34.

Senator Benz voting in the negative.

So the rules were suspended.

The bill was read a second time by title, a third time by sections, and placed upon its passage.

The ayes and nays being taken, resulted as follows :

Those voting in the affirmative were :

Senators Bell, Benz, Bichowsky, Brown, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Howard, Hostetter, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Ristine, Spann, VanVorhis, Voyles, White and Willard. Total, 37.



**There being no Senator voting in the negative.**

**So the bill passed.**

**The title was adopted as read.**

**Senator Willard introduced, by unanimous consent, Senate Bill No. 156.**

**On motion of Senator Spann the Senate adjourned until Monday afternoon next, at 2 o'clock p. m.**

**THOMAS HANNA,**

**President of the Senate.**



## MONDAY AFTERNOON.

JANUARY 22, 1883.

Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

Prayer was offered by the Rev. I. N. Thompson, pastor of the Ames M. E. Church, Indianapolis.

The reading of the Journal was being proceeded with when, on motion of Senator Willard, the further reading of the minutes was dispensed with.

Senator White asked leave of absence for Senator Bichowsky, and stated that Senator Bichowsky was paired with Senator Rahm on all political questions until to-morrow.

Granted.

Senator Spann asked leave of absence for Senator Campbell until Wednesday, and stated that Senator Campbell was paired with Senator Howard on all political questions.

Which was granted.

Senator Compton asked leave of absence for Senator Howard until Wednesday next.

Which was granted.

Senator Bundy offered the following petition :

A petition signed by forty-five voters of Stoney Creek township, Henry county, praying the repassage and submission of the prohibitory amendment to a vote of the people of the State of Indiana.

Senator Willard's Senate Bill No. 156, was read a first time.

A bill for an act providing for the submission to the electors of the State of Indiana, for ratification or rejection of any constitutional amendment or amendments which may at any time



be proposed and agreed to by two General Assemblies, in succession, in accordance with the provisions of Article XVI of the Constitution of the State of Indiana, prescribing certain duties of officers of election; and others providing penalties for the violation thereof, repealing all laws in conflict therewith, and declaring an emergency.

Senator Willard moved to refer the bill to a special committee of five, three Democrats and two Republicans.

Which was adopted.

The President appointed the following as such committee:

Senators Willard, Sayre, Smith of Delaware, Compton and McCulloch.

Senator Bundy presented the following petitions from citizens of Henry county:

*To the Senate and House of Representatives:*

Praying for the passage of some law or laws for the protection and encouragement of breeders of fine stock in the State of Indiana. Signed by seventy-one voters of said county.

Which was read and referred to the Committee on Agriculture.

Senator Fletcher offered the following remonstrance:

*To the Senate of the State of Indiana, now in session at Indianapolis:*

HON. SENATORS—We, the undersigned, physicians of Madison county, State of Indiana, most respectfully remonstrate against the repeal of the act establishing a State Board of Health and its concomitant provisions, knowing that such a retrograde movement would be very detrimental to the best sanitary interests of the State, as well as fail to indicate to a very deplorable extent the high and undoubted intelligence of your honorable body.

ANDERSON, Ind., January 12, 1883.

Signed by N. L. Wickersham, M. D., W. A. Hunt, M. D., and six other physicians.



Which was read and referred to the Committee on Public Health, Vital and other Statistics.

Senator Macartney introduced a petition to aid Teresa Bachtell and Charles Bachtell.

Which was referred without reading to the Committee on Claims.

Senator Smith of Jay, introduced a petition signed by sixty voters of said county, petitioning against the repeal of the act creating the State Board of Health.

Which was referred, without reading, to the Committee on Public Health, Vital and other Statistics.

Senator Davidson, from the Committee on Agriculture, presented the following report on Senate Bill No. 64:

MR. PRESIDENT:

Your Committee on Agriculture, to whom was referred Senate Bill No. 64, beg leave to report and recommend that the bill be indefinitely postponed.

W. H. DAVIDSON.

Senator Bell introduced Senate Bill No. 157:

An act to require the payment of certain premiums to the fire departments of cities and important towns, by fire insurance companies not organized under the laws of the State of Indiana.

Which was read a first time and referred to the Committee on Insurance.

Senator Null introduced Senate Bill No. 158, by request, entitled:

An act providing that legal advertisements and notices shall be published in the newspaper printed and published in the county, having the largest actual annual *bona fide* circulation in the county, to provide for the manner of ascertaining and determining said newspaper circulation, to repeal all laws in conflict with this act, and declaring an emergency.

Which was read a first time and referred to the Committee on Organization of Courts.



Senator Yancey introduced Senate Bill No. 159, entitled :

A bill to secure safety in the use and management of local and portable steam boilers and engines, and competency in those who manage the same.

Which was read a first time and referred to the Committee on Corporations.

Senator May introduced Senate Bill No. 160, entitled :

A bill for an act to amend section 2390 of the Revised Statutes of 1881, and declaring an emergency.

Which was read a first time and referred to the Committee on Probate Bills, heretofore appointed, of which Senator Bundy is Chairman.

Senator Henry introduced Senate Bill No. 161, entitled :

A bill for an act creating and Appellate Court.

Which was read a first time and referred to the Committee on Organization of Courts.

The following message was received from the Governor :

EXECUTIVE DEPARTMENT,  
January 24, 1883. }

*Gentlemen of the Senate :*

On the first of January, instant, I appointed General John Coburn President of the Boards of Trustees of the Institute for the Education of the Blind, the Institution for the Education of the Deaf and Dumb, and the Indiana Hospital for the Insane, subject to the concurrence of the Senate. In reporting the appointment to the Senate, General Coburn was by inadvertance reported as having been appointed "Superintendent" instead of "President" of said Boards. I make this communication to correct the error, which was accidental.

ALBERT G. PORTER,  
Governor.



Also the following:

EXECUTIVE DEPARTMENT,  
JANUARY 22, 1883. }

*To the Honorable, the President of the Senate:*

The Governor has the honor respectfully to inform the Senate that he has approved and signed Senate Enrolled Bills Nos. 25 and 49, and has caused the same to be filed in the office of the Secretary of State.

FRANK H. BLACKLEDGE,  
Private Secretary.

Senator Henry introduced Senate Bill No. 162, entitled:

A bill for an act concerning deeds executed by administrators, executors, guardians, sheriffs, and commissioners of courts.

Which was read a first time and referred to the Committee on Judiciary.

Senate Bill No. 46, having been made a special order of business, was taken up, and Senator Bell moved the recommittal of the bill to the Committee on Benevolent and Reformatory Institutions.

Which was adopted.

#### SENATE BILLS ON SECOND READING.

Senate Bill No. 1 was taken up and read a second time with the report of the committee's majority report, recommending certain amendments. Minority report, recommending it be indefinitely postponed.

Senator Spann offers the following as a substitute for both majority and minority reports, to-wit:

MR. PRESIDENT:

As a substitute for the majority and minority reports of the committee, I move to strike out all of said bill after the title, and insert the following in lieu thereof:

SPANN.



**SECTION 1.** *Be it enacted by the General Assembly of the State of Indiana,* That Section 1 of “An act to provide for the appointment and confirmation of the Trustees of the Indiana Asylum for the Blind, the Institution for the Education of the Deaf and Dumb, and the State Hospital for the Insane, and for the more efficient management and uniform government of the same,” approved March 6, 1879, be amended so as to read as follows: The Governor, by and with the advice and consent of the Senate, shall appoint two Trustees each for the Asylum for the Blind, the Institution for the Education of the Deaf and Dumb and the Hospital for the Insane, and a President of the Boards of Trustees of said Institutions. The President and the two Trustees of each of said institutions shall constitute the Board of Trustees for the government thereof, and the terms of said officers and their successors shall be four years. Such appointment shall be made on the first Monday in January next preceding the expiration of the terms of each of said officers, and the expiration of said terms shall remain as now established by law, viz.: The terms of one of the Trustees of each of said institutions, and of the said President, to expire on the first day of February, 1883, and the terms of the other one of said Trustees of each of said institutions to expire on the first day of February, 1885. The Governor shall report such appointments to the Senate within five days after the meeting of the General Assembly in regular session, and if the Senate consent to and confirm such appointments, the appointees shall hold their offices during the succeeding term, but if the Senate do not confirm such appointments, the incumbents of the said offices shall hold and perform the duties of the same until their successors are duly appointed, and such appointments confirmed by the Senate.

**SEC. 2.** That section 2 of said act be amended so as to read as follows: If said President or any of the said Trustees shall fail to faithfully discharge their duties, or shall violate any provisions of the laws in the administration of their office, it shall be the duty of the Attorney General to bring an action against such person in the Circuit Court or any of the Superior Courts of the county of Marion. Such action shall be brought in the name of the State on the relation of the Attorney General, upon



a verified complaint, filed in the court by the Attorney General. If the finding and judgment of the Court be against the respondent in said action, such judgment shall work a forfeiture of his said office and his removal therefrom, and from such time there shall be deemed a vacancy in such office until the same be filled according to law. Whenever a vacancy shall occur in any of the said offices by death, resignation, removal, or the forfeiture thereof, the Governor shall appoint a competent person to fill such vacancy for the unexpired term. He shall report such appointment to the Senate, if in session, and if not in session, then at the next succeeding session thereof for confirmation. If such appointment be not confirmed, he shall immediately make other appointments, and report the same until a person so appointed be confirmed; but if no such appointment be confirmed three days before the expiration of the session of the General Assembly, the Senate may appoint a person to fill the vacancy for the unexpired term.

SEC. 3. All laws and parts of laws in conflict with this act are hereby repealed.

SEC. 4. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in force from and after its passage.

Senator Brown moved that the bill, with reports, and the substitute be made a special order for next Thursday at 10:30 o'clock.

Which was adopted.

Senate Bill No. 5 was read a second time with report of the Committee on Revision of the Laws thereon.

Which report was concurred in, and the bill ordered engrossed.

Senate Bill No. 22 was read a second time, with the report of the committee thereon, which is as follows:

MR. PRESIDENT:

Your committee, to whom was recommitment Senate Bill No. 22, entitled an act to amend section 1, of an act approved



March 3, 1881, entitled an act to amend section 7, etc., have had the same under consideration, and recommend that the same do pass.

JOSHUA ERNEST,  
Chairman Committee on Roads.

Which was concurred in and the bill ordered engrossed.

Senate Bill No. 72 was read a second time, with the report of the committee thereon, recommending amendments and its passage.

Senator May moved that the bill be recommitted to the Committee on Organization of Courts.

Which was adopted.

Senate Bill No. 117 was read a second time, with the report of the committee thereon, which is as follows:

MR. PRESIDENT:

Your Committee on Fees and Salaries, to whom was referred Senate Bill No. 117, having duly considered the same, beg leave to report the said bill back to the Senate, with a recommendation that it be indefinitely postponed.

Respectfully submitted,

S. B. VOYLES,  
Chairman.

The report of the committee was concurred in.

And it was so ordered.

Senate Bill No. 134 was read a second time, with the report of the committee thereon recommending passage of the bill.

The report was concurred in, and the bill was ordered engrossed.

Senate Bill No. 28 was read a second time, with the report of the committee thereon recommending that the bill lie on the table.

Senator Voyles moved that the Bill be recommitted to a special committee of three, with instructions to amend so that



the school fund may be loaned at six per cent. per annum interest.

Senator Foulke moved to amend by referring the bill to said committee without instructions.

The amendment was accepted by Senator Voyles.

Senator Willard moved that the motion as amended lie on the table.

The ayes and nays being demanded and taken, resulted as follows :

Those voting in the affirmative were:

Senators Adkinson, Bell, Bundy, Compton, Duncan, Ernest, Fleming, Graham, Henry, Hutchinson, Johnson, Lockridge, Macartney, Magee, McClure, McIntosh, Null, Sayre, Smith of Delaware, Spann, Vorhis, White and Willard. Total, 23.

Those voting in the negative were:

Senators Benz, Brown, Davidson, Faulkner, Fletcher, Foulke, Hilligass, Johnston, May, Overstreet, Smith of Jay, Voyles and Yancey. Total, 13.

So the motion of Senator Voyles was laid on the table.

On motion of Senator Spann, the Senate adjourned until 10 o'clock to-morrow morning.

THOMAS HANNA,

President of the Senate.



## TUESDAY MORNING.

JANUARY 23, 1883.

The Senate met at 10 o'clock, Lieutenant Governor Hanna in the Chair.

Prayer was offered by the Rev. David Walk, Pastor of the Central Christian Church, Indianapolis.

The reading of yesterday's Journal was being proceeded with when, on motion of Senator McIntosh, the further reading of the Journal was dispensed with.

Senator Ristine presented a petition on the subject of insurance from the citizens of Montgomery county, signed by John M. Schultz, E. C. Griffith, and 206 other citizens.

Which was referred, without reading, to the Committee on Insurance.

Senator Bundy, from the Committee on Judiciary, presented the following report on Senate bill No. 148:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate Bill No. 148, have had the same under consideration, and a majority of the committee have directed me to return the bill with the recommendation that it be amended as follows, viz.:

Amend the title to read as follows:

An act to amend section 288 of an act entitled "An act concerning proceedings in civil cases," approved April 7, 1881, being section 419 of Revised Statutes 1881, and that when so amended the bill do pass.

Senator Bundy, from the same committee, made the following report on Senate bill No. 8:



MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 8, have had the same under consideration, and a majority of the committee have directed me to return the bill with the recommendation that it be referred to the Committee on Canals and Internal Improvements.

The report of the committee was concurred in, and the bill was so referred.

Senator Bundy, from the Committee on Judiciary, made the following report on Senate Bill No. 69:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate Bill No. 69, have had the same under consideration, and a majority of the committee have directed me to return the bill with the recommendation that it be referred to the Committee on Canals, Internal Improvements and Swamp Lands.

Which report was concurred in and the bill so referred.

Senator Graham, from the Committee on Judiciary, reported on Senate Bill No. 63 as follows:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate Bill No. 63, have had the same under consideration, and a majority of the committee have directed me to recommend that the same lie on the table.

GRAHAM.

Senator Graham, from the same committee, made the following report on Senate Bill No. 124:

MR. PRESIDENT:

The Committee on Judiciary having had under consideration Senate Bill No. 124, recommend that the same be referred to the Committee on Insurance.

R. GRAHAM,

For Majority of Committee.

Which report was concurred in, and the bill referred to the Committee on Insurance.



Senator Van Vorhis, from the Committee on Judiciary, made the following report on Senate Bill No. 144 :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate Bill No. 144, have had the same under consideration, and a majority of the committee have directed me to return the bill with the recommendation that it be referred to the Committee on Corporations.

VAN VORHIS.

Which report was concurred in and the bill so referred to the Committee on Corporations.

The following message was received from the House by the hands of the Principal Clerk :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution No. 1, in relation to the survey of the Kankakee and other matters connected therewith. Also, that the House has passed Senate Bill No. 155, in relation to changing the names of charitable institutions and other matters connected therewith, and the same is herewith transmitted to the Senate for action thereon.

S. W. EDWINS, Clerk.

Also, House Bill No. 148, with Senate amendments concurred in, in relation to the jurisdiction of this State over certain lands by the United States and other matters connected therewith, and the same is herewith transmitted to the Senate for action thereon.

EDWINS, Clerk.

Senator Van Vorhis, from Committee on Judiciary, made the following report on Senate Bill No. 60:

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate Bill No. 60, have had the same under consideration, and a



majority of the committee have directed me to return the bill with the recommendation that the same be indefinitely postponed.

VAN VORHIS.

Senator Van Vorhis, from the Committee on Judiciary, made the following report on Senate Bill No. 73:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 73, have had the same under consideration, and a majority of the committee have directed me to report that they recommend the bill be amended by striking out all after the word "amendatory," in line one, and before the word "be" in line six of the last page of said bill, and inserting in lieu thereof "said assessment shall." And that when so amended the bill do pass.

FLAVIUS J. VAN VORHIS,  
For Committee.

Which was reported back with amendments.

Senator Brown, from the Committee on Judiciary, made the following report on Senate Bill No. 81:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate Bill No. 81, have had the same under consideration, and a majority of the committee have directed me to return the bill with the recommendation that it lie on the table.

JASON B. BROWN.

Senator Brown, from same committee, made the following report on Senate Bill No. 102:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate Bill No. 102, have had the same under consideration, and a majority of the committee have directed me to return the bill



with the recommendation that it be referred to the Committee on Benevolent and Reformatory Institutions.

JASON B. BROWN.

Which report was concurred in, and the bill so referred.

Senator Brown, from the same committee, made the following report on Senate Bill No. 109:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate Bill No. 109, have considered the same, and have directed me to make the following report:

First. Amend the title by adding these words: "And designated as section 2079 of the Revised Statutes of 1881."

Second. After the words "April 14, 1881," add the words, "And designated as section 2079 of the Revised Statutes of 1881."

Third. Add to section 1 the following proviso:

*Provided*, That the provisions of this act shall not apply to prosecutions now pending under the provisions of the act hereby amended, but that all of such prosecutions shall be prosecuted to final judgment as if this act had never been passed.

Fourth. Strike out the second section of the bill.

And when the bill is so amended, a majority of the committee recommend that the bill do pass.

JASON B. BROWN,  
For Committee.

Which was reported back with amendments.

Senator Van Vorhis, from same committee, made the following report on Senate Bill No. 37:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate Bill No. 37, have had the same under consideration, and a majority of the committee have directed me to return the bill,



with the recommendation that the same be indefinitely postponed.

VAN VORHIS.

Senator Van Vorhis, from the same committee, made the following report on Senate Bill 126:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate Bill No. 126, have had the same under consideration, and a majority of the committee have directed me to return the bill with the recommendation that the same lie on the table.

VAN VORHIS.

Senator Bundy, from the Committee on Judiciary, moved that the engrossment of Senate Bill No. 52 be set aside.

Which was adopted.

Senator Bundy, from said committee, presented the following report on said Bill No. 52:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate Bill No. 52, have had the same under consideration, and a majority of the committee have directed me to return the bill with the recommendation that it be amended as follows, viz.:

In section 2 by striking out the words "twenty-five" in line 14, page 6, and insert the word "twenty" in lieu thereof.

Amend section 3 by striking out the words "twenty-five" in line 17, page 9, and insert the word "twenty" in lieu thereof.

Amend by adding section 4: *Provided*, That nothing herein contained shall be construed to increase the rate of interest allowed the purchaser in case of failure of tax titles under the law in force at the time when such sale or sales were made. But in all such cases, if the title fails in any proceeding the purchaser shall recover the amount of tax as due on the land, with interest at the rate per centum per annum allowed by the law in case of the failure of his tax title in form at the date of such sale or sales.



Senator Johnson, from Committee on Education, made the following report on Senate Bill No. 47:

MR. PRESIDENT:

Your Committee on Education, to whom was referred Senate Bill No. 47, beg leave to report that they have had the same under consideration, and recommend that it be amended, as follows: That in section one, whenever the word "city" occurs the words "and incorporated towns" shall be added; and that section two, of said Bill No. 47, shall be stricken out, and that the title to said bill, where it reads "and to extend the provisions of said act to all cities and incorporated towns in the State;" and your committee further recommend that said bill after having been so amended, do pass.

FRANCIS JOHNSON,  
Chairman.

Senator Johnson, from the Committee on Education, presented the following report on Senate Bill No. 127:

MR. PRESIDENT:

Your Committee on Education, to whom Senate Bill No. 127 was referred, beg leave to report that they have had the same under consideration and recommend that the bill be indefinitely postponed.

FRANCIS JOHNSON.

Senator Johnson, from same Committee, presented the following report on Senate Bill No. 145:

MR. PRESIDENT:

Your Committee on Education, to whom was referred Senate Bill 145, report that they have had the same under consideration and recommend that the same be amended as follows:

That the words "Except as hereinafter provided," on lines 9 and 10 of page 2, the words "Under his supervision," on line 10 of page 4, be stricken out, and that the words "Which are under the supervision of a County Superintendent," on lines, 4, 5, and 6 of page 7, and all the matter following the same to



the end of the bill, be stricken out, and that when so amended the bill be passed.

FRANCIS JOHNSON.

Senator McIntosh's resolution on the subject of Senate employes was taken up and read, which was as follows:

WHEREAS, A resolution passed the Senate on January 8, 1883, directing the Doorkeeper to employ five additional assistants to do and perform the several duties therein named, and there being no law providing for their employment or pay; therefore,

*Resolved*, That said employes be paid the same as other like employes to this date, and that they be forthwith discharged.

Senator Brown, from the Committee on Executive Appointments, made the following report on said resolution:

MR. PRESIDENT:

The Committee on Executive Appointments, to whom was referred a resolution respecting the Senate employes, respectfully reports that the committee met and duly considered the same, and the majority of the committee respectfully submit the following report:

That the Doorkeeper of the Senate, in response to a request of the committee, appeared before the committee and furnished a statement showing that there are four Assistant Doorkeepers, one paper folder, one postmaster, one sweeper, one spittoon cleaner, one mail carrier, one attendant upon the cloak-room, one person in charge of the heating apparatus, and one page, making in all twelve employes. Of this number seven were appointed by the Doorkeeper, that being the number of appointments the law authorizes him to make, and the other five appointments were made pursuant to Senate Resolution of January 8, 1883.

That this number of employes are needed, and that each one of them discharges his duty faithfully and well.

The majority of the committee therefore respectfully recommend that the said resolution be laid upon the table.

JASON B. BROWN,  
For the Committee.



Senator Duncan, from same committee, made the following minority report on the same resolution:

MR. PRESIDENT:

A minority of your Committee on Executive Appointments, to which was referred the resolution of the Senator from Greene, recommending a discharge of all appointees under the Doorkeeper of the Senate not authorized by law, beg leave to report that they have had the same under consideration, and would recommend that all of said appointees not authorized by law be discharged, for if the same are necessary, there is a change necessary in the laws.

W. C. DUNCAN.

The question being, "Shall the minority report be adopted?"

Senator Brown moved to lay the resolutions and reports on the table.

The ayes and nays being demanded by Senators McIntosh and Brown, and taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Brown, Bundy, Compton, Davidson, Fleming, Fletcher, Foulke, Graham, Henry, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, Overstreet, Rahm, Richardson, Ristine, Smith of Jay, Spann and Yancey. Total, 31.

Those voting in the negative were:

Senators Benz, Duncan, Ernest, Faulkner, Hilligass, McIntosh, Null, Sayre, Smith of Delaware, Van Vorhis, Voyles, White, Willard and Youche. Total, 14.

So the motion to lay the resolution and reports upon the table was adopted.



Senator Willard offered the following resolution:

*Resolved:* That the Senate accord to Ex-Governor Wright, of Iowa, the privileges of the floor of the Senate.

WILLARD.

Which was adopted.

Senator Yancey offered the following resolution:

WHEREAS, The Directors, Wardens, and officers of the several penal and reformatory institutions, the President and Trustees of the several benevolent institutions of the State, have, during their terms of office, honestly and faithfully discharged the duties of their respective trusts to the entire satisfaction of the citizens of the State; therefore,

*Resolved,* That said officials be, and they are hereby continued in office until the meeting of the next regular session of the General Assembly.

YANCEY.

Senator Brown raised a point of order that the resolution was not in order.

Which was sustained by the President of the Senate.

The resolution was ordered to lie on the table and be taken up in its regular order of business.

The order having arrived for the special order of business, which was the resolutions and reports of committees on executive appointments by the Governor, and the question being, shall the minority report of the committee be adopted?

Senator Brown moved that it be postponed until 2 o'clock P. M.

Which was adopted.

The Committee from the House awaited on the Senate and announced the readiness of the House, in conformity with a joint resolution, to go into election of Librarian and Prison Directors, when the Senate proceeded in a body to the House.

After the return of the Senate to the chamber, on motion of Senator Spann, the Senate adjourned until 2 o'clock P. M.



## AFTERNOON SESSION.

JANUARY 23, 1883.

The Senate met at 2 o'clock p. m., Lieutenant Governor Hanna in the Chair.

Senator Henry asked leave of absence for Senator Smith of Jay, until to-morrow, and that he was paired with him on all political questions.

Which was granted.

Senator White introduced Senate Bill No. 163, entitled :

An act concerning County Teachers' Institutes, and repealing all laws in conflict therewith, and declaring an emergency.

Which was read a first time and referred to the Committee on Education.

Senator Bundy introduced Senate Bill No. 164, entitled :

An act to amend section 453 of an act entitled "An act concerning proceedings in civil cases," approved April 7, 1881, (being section 586 of the Revised Statutes of 1881.)

Which was read a first time and referred to the Committee on Judiciary.

Senator Spann introduced Senate Bill 165, entitled :

An act to prohibit attorneys who may be counsel for Boards of County Commissioners to act as attorneys for litigants before said Boards.

Which was read a first time and referred to the Committee on Judiciary.

Senator Graham introduced Senate Bill No. 166, entitled :

A bill for "An act prescribing causes for the removal from office of county officers, fixing the duties of Judges of the Circuit Courts in cases of proceedings to remove such officers, providing a mode of procedure in such cases, and providing for



the appointment of officers to fill vacancies in cases of removal."

Which was read a first time and referred to the Committee on Fees and Salaries.

Senator Graham moved that 150 copies of the bill be printed. Which was adopted.

Senator Brown moved that special order concerning Senate Bill No. 6, be taken up immediately after special order now pending, being the subject of executive appointments, be disposed of.

The motion was adopted.

The special order being the consideration of the executive appointments by the Governor, the same was taken up.

The President announced that he had signed Enrolled Act No. 155.

The question being on the adoption of the motion by Senator Brown, that the consideration of the whole subject be postponed until January 30th, instant.

Pending discussion, Senator May moved the previous question, and it was seconded and ordered.

The question being, Shall the main question be put?  
It was so ordered.

The question being, Shall the minority report be concurred in?

The ayes and nays being demanded and taken, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bichowsky, Bundy, Fleming, Foulke, Graham, Henry, Keiser, Lindley, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Van Vorhis, White, Yancey and Youche. Total, 18.



**Those voting in the negative were:**

**Senators Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 25.**

**So the minority report was not adopted.**

**The question being, Shall the majority report of the committee be adopted?**

**It was concurred in.**

**Senator Lockridge announced pair with the Senator from Gibson, (Senator McCulloch), and declined to vote, but that if he had voted on the question of the minority report, he would have voted aye.**

**Senator Spann announced pair with Senator Bell, and declined to vote.**

**On motion of Senator Spann, the Senate adjourned until tomorrow morning at 10 o'clock.**

**THOMAS HANNA,  
President of the Senate.**



## WEDNESDAY MORNING.

JANUARY 24, 1883.

The Senate met at 10 o'clock, Lieutenant Governor Hanna in the Chair.

The reading of the Journal was being proceeded with when, on motion of Senator Benz, the further reading of the minutes was dispensed with.

Senator Spann offered the following privileged motion :

MR. PRESIDENT :

I give notice that on to-morrow I shall move to amend rule 59 of the Senate, by adding thereto the following: "Except that all bills shall be printed that may be recommended for passage, together with any amendments that may be recommended by the committee.

SPANN.

Senator Bundy, of Henry, offered the following resolution :

WHEREAS, There is a general demand upon the part of the people of the State for a revision of the present fee and salary law, and a reduction of the fees therein provided for; therefore,

*Resolved*, That the Committee on Fees and Salaries of the Senate be and is hereby instructed to report a bill at an early day looking to that end in order that the Constitutional amendment upon that subject, lately adopted by the people, may be properly carried into effect.

BUNDY.

Which was adopted.

Senator Brown moved to suspend the regular order of business, which was adopted, and offered the following resolution :

*Resolved*, by the Senate, the House of Representatives concurring,



That a committee be appointed, consisting of four Senators and five Representatives, to be known as the Committee on Women's Claims, to which committee all matters affecting the rights, privileges or claims of the women of Indiana shall be referred.

Which was adopted.

Senator Spann offered the following Joint Resolution:

WHEREAS, Suit was brought against Ziba F. Williams, County Superintendent of Martin county, before the Board of Commissioners of said county, for his removal, on account of his corruption in office, in the selling for money the questions furnished by the State Superintendent of Public Instruction to the teachers of the State; and,

WHEREAS, On the trial of said cause before the Commissioners of said county, the said Williams was found guilty of said charge; and

WHEREAS, Said Williams appealed to the Circuit Court of said county; and,

WHEREAS, Said suit is now pending; and,

WHEREAS, For the protection of the interests of the teachers and public schools throughout the State, such suit was necessary, and no provision being made for the prosecution of such suit and the payment of the necessary expenses of the same; therefore, be it

*Resolved*, by the Senate and House of Representatives of Indiana, That the Auditor of State is hereby authorized to audit the bills and issue his warrant on the Treasurer of State, out of the General Fund, for the payment of the necessary expenses in the prosecution of said suit by the Superintendent of Public Instruction: *Provided*, That the said Superintendent shall itemize said accounts, and make oath to same, and the same shall be approved by the Secretary of State and the Attorney General.

SPANN.

And moved the constitutional rules be suspended, that the resolution be read a second time by title, a third time by sections and placed upon its passage.



The question being, Shall the rules be suspended ?

The ayes and nays being taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Faulkner, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Yancey and Youche. Total, 46.

Senator Williard voting in the negative.

So the rules were suspended.

The resolution was read a second time by title, a third time by sections, and the question being, Shall the resolution pass?

When Senator Johnson moved the following amendment:

*Provided*, That the warrant so issued by the Auditor of State shall not exceed the sum of one thousand dollars.

Which was rejected.

The question being, Shall the resolution pass ?

The ayes and nays being taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Davidson, Duncan, Fleming, Fletcher, Foulke, Graham, Henry, Hilligass, Hoover, Keiser, Lockridge, Lindley, Macartney, Magee, Overstreet, Ristine, Smith of Delaware, Spann, Van Vorhis, Voyles, White, and Yancey. Total, 29.

Those voting in the negative were :

Senators Compton, Ernest, Faulkner, Hill, Howard, Hutchinson, Johnston, Johnson, Marvin, May, McClure, McCulloch,



McIntosh, Null, Rahm, Richardson, Sayre, Willard and Youche. Total, 19.

So the resolution passed.

The following message was received from the House by the hands of the Principal Clerk.

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Concurrent Resolution No. 7, in relation to pensioning the soldiers of the late war, according to the injuries received in the service and not according to rank, and other matters connected therewith, and the same is herewith transmitted to the Senate for action thereon.

S. W. EDWINS,  
Clerk.

The question being, Shall the title stand on the Spann resolution?

Senator Spann offered the following amendment:

Senate joint resolution No. 1.

A joint resolution authorizing the Auditor of State to audit and pay certain expenses to the Superintendent of Public Instruction, for the prosecution of a certain suit against Ziba F. Williams, now pending.

Which was adopted.

The title was adopted as amended and read.

Special order was taken up, being Senate Bill No. 6. The majority and minority reports of committee thereon were read.

When Senator Henry offered the following as a substitute for such reports:

MR. PRESIDENT:

I offer the following as a substitute for both the majority and minority reports on Senate Bill No. 6.

HENRY.



An act concerning roads and highways, and the election of Supervisors of Highways:

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That the Township Trustees of the various townships of the State of Indiana, shall be ex-officio Superintendents of Highways in their respective townships; and it shall be their duty to take charge of and superintend the construction and repairs of all roads within their respective townships, as hereinafter specified.

SEC. 2. Immediately upon the taking effect of this act, each Township Trustee shall divide his township into as many road districts as may in his judgment be proper, and in such manner as he may deem proper, and in so doing shall not make any road district to contain a territory less in extent than six square miles. In the month of January, every two years thereafter, he may redistrict his township into road districts under like regulations. It shall be the duty of the Township Trustee, upon dividing his township into road districts within ten days thereafter, to file in the Auditor's office of his county, a correct plat of such districts, with the districts thereon properly numbered in order, commencing with number one, in the northeast corner of the township, and the Auditor shall record the same in the record of the Board of Commissioners.

SEC. 3. The qualified voters in each township of the several townships in this State, shall elect a Supervisor in each of the road districts in their respective townships, at the election held for electing township officers, who shall hold his office for two years thereafter: *Provided*, That the first election of Supervisors under this act shall take place on the first Monday in April, 1884; and in the meantime the Township Trustees shall appoint Supervisors to fill all vacancies in the various road districts. Each Supervisor shall receive for all necessary service, not exceeding sixty days in any year, the sum of one dollar and fifty cents per day, to be paid out of the township treasury: *Provided*, Such Supervisor shall not be entitled to charge or receive any compensation whatever for a number of days equal to that required and employed by other persons of his road district liable to work on highways.



**SEC. 4.** If, upon counting the votes at any election provided for in the next preceding section, any tickets shall be found with more than one person voted for as such Supervisor, it shall be deemed an illegal vote, as far as relates to such officer, and shall not be counted to such person for that office. *And provided further,* That each person shall vote for the Supervisor of his respective road district.

**SEC. 5.** When there shall be a failure to elect a Supervisor for any district, and in case a vacancy shall occur in said office from any cause, the Trustee of the township in which such district is situated shall appoint such Supervisor, as soon as he is informed of such failure or vacancy, who shall hold his office until the next election; and when an appointment of Supervisor is made by such Trustee, he shall make out a certificate of such appointment, and deliver the same to a constable of such township, within three days after such appointment, and such constable shall deliver the same to the person appointed, and make return thereof to such Trustee within seven days thereafter; but any person may be exempt from serving as such supervisor by paying into the township treasury the sum of six dollars, and in such case the vacancy shall be filled as hereinbefore provided. *Provided, however,* That no person shall be compelled to serve oftener than once in six years.

**SEC. 6.** Any person liable to perform highway labor, who shall fail to accept the office of Supervisor of his district, and to qualify and serve as such, when duly elected or appointed, or to pay the sum in the next preceding section specified as a commutation thereof, within twenty days after his appointment or election, shall forfeit the sum of six dollars, to be recovered before any Justice of the Peace of the township, for the benefit of the road district of which such person so failed to accept the office of Supervisor; and, in case of such failure, the Township Trustee shall bring suit for such penalty, in the name of the township; and if there be no such Trustee, the Auditor of such county shall bring such suit. In case of recovery of such penalty, it shall be paid to the Township Trustee, for the benefit of such road district.

**SEC. 7.** Such Supervisor shall take an oath, before entering



upon the discharge of his duties, for the faithful performance thereof, and give a bond, with security, to be approved by the Township Trustee, conditioned for a faithful discharge of his duties, in a sum not less than two hundred dollars, which bond shall be deposited with the Township Trustee; he shall carry into effect all the orders of the Trustee of the township in which the road district is situated, touching the highways and bridges therein, and keep the same in good repair; he shall, also, call out all persons in such district, liable to work on highways therein, and superintend the labor thereon, and see that the same is faithfully performed, sue for and collect all fines and commutation moneys due such district, and pay the same over to the Trustee.

SEC. 8. Such Supervisor shall call out all able-bodied male persons, except insane, idiots, deaf and dumb, and blind persons, in such district, who are residents of this State, and over the age of twenty-one years, and not exempt from such labor, during not less than two, nor more than four days in the months of April, May, or June of each year, and shall require each of such persons to work on the highways in such district ten hours each day, and to furnish, in such labor, any tool that the Supervisor may direct, if the demand therefor be a reasonable one. Any person able to perform an ordinary day's labor shall be deemed able-bodied within the meaning of this act, although such person may be in some respects deformed.

SEC. 9. Such Supervisor may require any person liable to work on such highways, who may be the owner of an ox or horse team, and a plow, cart, or wagon, to furnish the same, and a driver, in such labor upon such highways, and such person shall receive credit for two days' labor therefor, and be receipted accordingly by such Supervisor.

SEC. 10. Such Supervisor shall notify each person in his road district liable to work on the highways thereof, by verbal or written notice, and, if written, to be left at the residence of such person, of the time and place of working on such highways, at least three days prior to the time designated for such work.

SEC. 11. On application to the Township Trustee, any per-



son liable to work on highways, may be exempt therefrom, if it be shown he is unable, from bodily infirmities, to work thereon, and that he is too poor to pay the commutation therefor; also, any person belonging to any legally organized fire company; and in such cases, the Township Trustees shall execute to such person a certificate thereof, which shall, on being presented to the Supervisor, entitle him to such exemption.

SEC. 12. Any person liable to work on the highways may be exempt therefrom by paying to the Supervisor of his road district one dollar for each day he is liable to work thereon, and in that case he shall be receipted therefor by the Supervisor, which Supervisor shall be authorized to employ some person or persons to work out such money, at the rate of one dollar per day, on the roads of his district; or, failing so to do, he shall pay over all such money into the township treasury for the benefit of the road district.

SEC. 13. Such Supervisor, within ten days after warning the hands liable to work on such district, shall bring suit in the name of the township in which such district is situated, against such persons as fail to work or pay over the commutation money therefor, before any Justice of the Peace of the township, and in such suit it shall only be necessary for an account stating the number of days which each of such persons so failed, and charging one dollar per day each therefor, to be filed as a cause of action, and in case of a recovery by such Supervisor, the judgment shall be rendered for one dollar for every day the defendant so failed, and costs of suit, and no stay of execution or benefit of exemption, valuation or appraisement laws shall be allowed on such judgment; and in case such Supervisor shall fail to bring suit, he shall forfeit and pay the sum of ten dollars, to be recovered before any Justice of the Peace in the township, in the name thereof, and all so recovered, under the provisions of this section, shall be received and expended by the proper supervisor in the improvement of the highways of his district: *Provided*, Such Supervisor shall not be required to bring such suit within ten days against any person or persons from whom there is no probability of collecting, or who, at the time of working, shall be sick or otherwise disabled from labor. If such person, so temporarily sick or



disabled be liable to pay commutation, he shall so pay, or the Supervisor shall sue therefor, within sixty days. No person, able to pay commutation, shall be exempt on account of bodily disability.

SEC. 14. Any person, liable to perform labor on the public highways, when notified for such purpose, may appear in person or by an able-bodied substitute, and the person or substitute so appearing, shall actually work ten hours each day, under penalty of twenty-five cents for every hour such person or substitute shall be in default, to be deducted by the Supervisor from the price of the day's labor.

SEC. 15. If any such person, or his substitute, after appearing, shall remain idle, or not work faithfully, or shall hinder others from working, such offender shall, for every such offense, forfeit the sum of one dollar, to be collected as other fines and forfeitures herein specified, and he shall be discharged by the Supervisor, without credit for any part of the work he may have done.

SEC. 16. Such Supervisor, within ten days after the receipt of any money which he is not required to pay over to the Township Trustee, shall proceed to employ laborers to repair the highways in his district, but shall not pay more to such laborers than is customary in his district for similar purposes, and such Supervisor shall attend such repair, but in no case shall such Supervisor neglect to repair such highways; and if such labor and tax or labor, where no tax has been assessed, shall be insufficient therefor, he shall call out the hands in his district to complete such repairing; and if any person so called out, shall refuse to work, he shall be liable to pay the commutation money therefor, and it shall be the duty of the Supervisor to bring suit for the same, as provided in this act.

SEC. 17. When such extra labor, provided for in the next preceding section, shall not require all the hands in the district, or an equal amount of labor from each, the Supervisor may assess the same upon such number of hands as he may deem sufficient, and for the excess of work performed by any one, over the average amount performed by all, he shall give to



each person performing such excess a certificate of the amount thereof, which shall be good credit to the holder thereof on account of any subsequent labor to be done, if any, on the highways in his said district.

SEC. 18. The Supervisor, or any other person by his order, may enter upon any land adjoining or near to any highway in his district, and thereupon construct such ditches, drains and dams, and dig and remove any gravel, earth, sand or stone, or cut and remove any wood or trees that may be necessary for the proper construction, repair or preservation of such highways; and the Supervisor, together with two disinterested persons, shall proceed at once to the locality and assess such damages in favor of the owner of the lands thereof, as in their judgment seems right and proper, and report the same, under oath, which oath shall be administered by the Supervisor to the two appraisers, and by the Township Trustee to the Supervisor within ten days' after such assessment, the Trustee having first given notice thereof to the party damaged, and such Trustee shall pay the damage assessed, to be paid out of the township treasury, unless he should deem them unreasonable, in which case he may reduce the amount. No person's land shall be entered where material can be found on the roadway, or convenient in the district on the roadways thereof, nor when drainage can be made on the roadway at a cost not exceeding the cost and damages of entering on private lands. In all cases contemplated by this section, demand shall first be made of the owner of the land before entering thereon, or taking material; if he assent, he may point out the material and location from which to be taken, and if accessible and fit for the purpose intended, it shall be there taken; if consent be refused by the owner, the Supervisor shall notify such owner of his intention to so enter, for what purpose and for what time, and point out the land to be occupied or the material to be taken. In all assessments of damages the owner shall be notified and have leave to select one appraiser, and shall have notice of the time and place of meeting of the appraisers, and privilege to offer evidence as to damages, at the time of the assessment by the appraisers.

SEC. 19. When a public highway, running through or bor-



dering on a plantation, shall become obstructed, the owner or occupant of such plantation shall remove such obstruction, as soon as the same shall come to his knowledge, for which the proper Supervisor shall allow him a reasonable credit on his liability to work on the highways, except such obstruction is caused by the act of the owner of such plantation, in which case he shall be required to remove the same without any credit.

SEC. 20. All trees standing or lying on the land over which any highway shall be laid out, which it shall be necessary to remove in the opening of such highway, shall belong to the owner of such land if he shall avail himself of the same before the Supervisor is required to open such highway, but all such trees and down timber, or other material found on such premises, may be taken and used by the proper Supervisor for the construction or repair of the highway or bridge on such land.

SEC. 21. Every Supervisor shall erect and keep up at the forks of every highway and every crossing of roads within his district, suitable guide-posts and boards, with suitable, proper and legible inscriptions thereon, directing the way and mentioning the distance to the most noted place on each road respectively; and the Township Trustee shall make such Supervisor a reasonable allowance therefor, to be paid out of the township treasury.

SEC. 22. The Township Trustee shall take charge of all highways and bridges in his township, and cause the same to be kept in as good repair as the prudent use of the means in his hands will permit. He shall execute all orders of the Board of County Commissioners of his county for opening, changing, locating or vacating any road or highway in his township. He shall have control of all funds of his township for roads, highways or bridge purposes. He shall see that all the roads, highways and bridges are of the width required by law.

SEC. 23. The Township Trustee, with the concurrence of the Board of County Commissioners of his county shall, in the month of June, 1883, and annually thereafter, levy a road tax of not exceeding twenty-five cents upon each one hundred dol-



lars on the property of his township liable to taxation for State purposes, and report the same to the County Auditor, who shall enter the same upon the proper tax duplicate, in a separate column, and the County Treasurer shall collect the same as other taxes are collected; and all moneys so collected, together with all other moneys due the township, or any part or district thereof, for road purposes, shall be paid to the Township Trustee by the Treasurer, upon warrant of the County Auditor.

SEC. 24. All roads running on township or county lines are assigned for construction and repairs as follows: Roads running north and south, the north half is assigned to the township on the west side of such lines, and the south half is assigned to the township or townships on the east side of such line, and roads running east and west the west half is assigned to the township on the south side of such lines, and the east half is assigned to the township or townships on the north of such lines, and the roads and highways so assigned shall be under the control of and kept in order by the Superintendent of the township to which they are assigned. All roads running on lines dividing this State from other States, shall be worked in conjunction with such other State, and shall be assigned for construction and repairs in the same manner as above provided in cases where roads run on township and county lines.

SEC. 25. The Township Trustee shall, in the months of April, May and June, first cause the Road Supervisors to put in good, ordinary repair all the highways in his township, and with such other means as may be in his hands, and work at the disposal of the Supervisors, proceed to do work denominated extraordinary upon some portions of the highways of his township which are mostly traveled, and by judicious ditching, draining and making embankments, and grading, and building culverts and bridges, and such other reasonable means as shall seem to him prudent and best to construct a road with a smooth surface, of not less than eighteen feet in width, and, when the material is within his reach, may cover nine feet in width of such roads with gravel or any material that will make a hard surface, and shall expend all available means in hands



applicable to such purpose by the 15th day of November of each year.

SEC. 26. In determining upon the amount and character of such extraordinary work which shall first be done on any highway, or part thereof, the Township Trustee shall take into consideration its importance to the traveling public, and its convenience to gravel, stone or other material to be used in its construction, and whenever the citizens interested in the permanent improvement of any highway of public importance, shall, by donation, properly ditch, drain, gravel, or embank such highways, in such manner as is contemplated in this act, such Trustee shall contribute and perform work thereon equal in value to such donation, if he has the means in his hands to perform such work, and said work shall be performed, and said highway constructed in the manner described in section 25, of this act, and such values may be determined by a civil engineer employed by the Township Trustee, and for making plans, specifications and estimates for earth work and bridges, and estimating values of labor and material, such Superintendent may employ a competent engineer at reasonable wages.

SEC. 27. It shall be the duty of such Road Supervisor, under the direction of the Trustee, to employ laborers, mechanics and teams, at specified wages, such as is usual in the township for such class of work, and such employes shall work ten hours each day, and such Supervisor shall be responsible for the performance of the work in the manner directed by the Trustee or by the engineer employed by such Trustee, and for any damages sustained by the township on account of any failure by the Supervisor to perform the work in the manner directed by such Trustee or engineer, such Road Supervisor shall be liable in an action on his bond, in the name of the township, to be brought before any Justice of the Peace of said township.

SEC. 28 The Road Supervisor shall keep the time of the hands employed by him, and for cause may dismiss any hand; and for payment of his hands shall give an order on the Township Trustee, which order, with the indorsement of the payee thereon, shall be a sufficient voucher for said Trustee, in his annual settlement with the Board of County Commissioners.



SEC. 29. The Road Supervisors shall be held to be the agents of the Township Trustee, and may be by him removed from office at any time, for good cause shown, from which removal an appeal will lie to the Circuit Court of the county, under the rules and regulations of appeals from a Justice of the Peace.

SEC. 30. The Township Trustee shall, upon the taking effect of this act, become the custodian of all the tools, material, and other property pertaining to roads, which have been held by the Road Supervisors of the township, and shall distribute the same to the Supervisors of the respective road districts of his township, according to the needs thereof. Such Trustee may purchase such tools or materials as may be necessary for the use of roads and highways, and for all articles purchased for such use, he shall take a receipt from the vender of the same, which tools and material shall be the property of such township, and shall be distributed to the various Supervisors according to their needs, who shall provide a suitable place for their safe keeping.

SEC. 31. The Road Supervisor shall, at the expiration of his term of office, make out a schedule of all property belonging to his township, appertaining to roads, and turn the property over to the Trustee, which schedule shall be copied upon the township records. He shall also deliver to the Trustee all moneys on hand for road purposes, taking his receipt as a voucher for the same.

SEC. 32. The Township Trustee shall also, at the next meeting of the Board of County Commissioners after the expiration of his term of office, make a complete settlement, to the satisfaction of such board, by a balance sheet, showing all the money received for road purposes, as Superintendent of roads and highways, and, also, for all moneys paid out, producing receipts and vouchers for each item of expenditure, which balance sheet and vouchers, when passed upon, shall be filed in the office of the County Auditor as one paper only, and the Board of Commissioners shall make an allowance to such Trustee of two dollars for each day he was necessarily employed as such Superintendent of highways, as shown by his sworn account for the same, not exceeding sixty days in any



year, and for a failure to make a satisfactory settlement within the time prescribed, he shall be liable on his official bond.

SEC. 33. The Township Trustee may, in his discretion, let out any portion of the work to be done, where the probable cost of the same shall exceed twenty-five dollars, and for this purpose he shall cause plans and specifications to be made out and kept for public inspection, and shall cause notice of the letting of such work to be posted up in five of the most public places in his township, giving time and place of letting such contracts, together with a brief description of the proposed work, and inviting contractors to submit sealed bids for doing the same. The Trustee shall make and adopt such rules and regulations respecting the manner and time of doing the work, and the payment therefor, as he may deem proper: *Provided*, The Trustee may reject any or all bids for such work, when he shall deem the public interest requires it. *And, provided further*, That said Trustee shall not receive or entertain any bid not accompanied by the bond of the bidder, with sufficient freehold sureties, payable to the State of Indiana, in a penalty of double the gross amount of his bid, conditioned for the bidder's faithful compliance with the requirement of the plan and specifications, and the provisions of this act.

SEC. 34. The successful bidder or bidders shall execute a bond or bonds, payable to the State of Indiana, in a penalty of double the amount of the bidder's bid or bids, with sufficient freehold sureties, to be approved by the Trustee, conditioned that he will faithfully and honestly do the work embraced in his bid, and in accordance with the provisions of this act.

SEC. 35. If any successful bidder shall fail or refuse to execute bond, as required in the last section, the Township Trustee shall forthwith cause suit to be brought on the bond accompanying his proposal, in the Circuit Court of the proper county, and the measure of the recovery shall be the amount of damage sustained by the township, on account of said failure or refusal, and the judgment shall carry with it the plaintiff's costs, regardless of the amount recovered, and the same shall be collected without relief from valuation or appraisement laws, and be paid to the Township Trustee, to the credit of the



highway fund. The Township Trustee may also proceed to publicly let the work to the next lowest bidder, requiring bond as aforesaid, or he may advertise for another letting, according to the provisions of this act.

SEC. 36. Any person who shall injure any dam, drain, embankment, ditch, or other construction made for the protection of any highway or bridge, or who shall willfully destroy any guide post, or deface any inscription or device thereon, or who shall unnecessarily and to the hindrance of passengers, obstruct any highway or bridge, and who shall, when driving any vehicle, fail to pass to the right when meeting another vehicle, so as to allow it to pass without injury, for any such offense such person shall forfeit the sum of five dollars, to be recovered before any Justice of the Peace of the county, in the name of the Township Trustee; and, in the case of such obstruction, for every day the same is continued, such sum shall be recovered, and in all cases such Trustee, in three days after receiving information of any such forfeiture, shall commence such suit, and the sum so recovered thereon shall be paid to the Trustee of the township for the benefit of the highways of such township.

SEC. 37. When a highway running through or bordering on any plantation shall become obstructed, the owner or occupant of such plantation shall remove such obstruction as soon as the same shall come to his knowledge, for which the Trustee shall pay a reasonable compensation, unless such obstruction was caused by such owner or occupant, in which case he shall remove the same without compensation.

SEC. 38. All trees standing or lying on land over which any highway shall be laid out, shall belong to the owner of such land, if he shall avail himself of the same before the Supervisor is required to open such highway, but all such trees or down timber, or other material, may be taken and used by said Supervisor for construction or repair of such highway.

SEC. 39. Every Township Trustee in this State is hereby empowered to administer oaths in all cases touching and necessary to the discharge of his official duties.

SEC. 40. The offices of Township Road Superintendent



and Road Master are hereby abolished, and upon the taking effect of this act such officers shall turn over to the Township Trustees of their respective townships all moneys, property, books, and papers in their hands as such officers, and all legal claims and demands created by such Township Road Superintendent shall be paid by the respective Township Trustees out of the first money recovered by them for road purposes.

SEC. 41. The owner or owners of property shall have the right to work out their road tax: *Provided*, The persons owing such tax shall apply to the Township Trustee to do such work, and will do the same at such time and place as the Township Trustee may direct, and at as low a price as others can be employed to do the same work.

SEC. 42. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

SEC. 43. An emergency existing therefor, this act shall take effect and be in force from and after its passage.

Senator Brown moved that the further consideration of this bill be postponed until Monday at 2:30 o'clock, P. M., and that three hundred copies of the substitute offered by Senator Henry be printed.

Which was adopted.

Senator Brown also moved that one hundred and fifty copies of Senate Bill No. 136 be printed.

Which was so ordered.

The special order being the reports of the Judiciary Committee, majority and minority reports, on the resolution relating to the Constitutional Amendments, it was taken up, and the resolution with the reports of the committee thereon read.

Senator Brown moved that the subject be considered first in Committee of the Whole Senate.

Which was adopted.

The Chair called Senator Henry to the chair, and declared the Senate in Committee of the Whole.



Senator Bundy moved that the Committee of the Whole recommend the Senate to concur in the minority report of the committee.

Senator Bell moved to amend as follows:

That the Committee of the Whole recommend the Senate to concur in the majority report of the committee.

The question being, Shall the motion made by Senator Bell be adopted?

Pending the discussion of the question.

On motion of Senator Brown the committee took a recess until 2 o'clock, P. M.



## WEDNESDAY AFTERNOON.

JANUARY 24, 1883.

The Committee of the Whole; after recess were called to order at 2 o'clock, P. M., with Senator Henry in the Chair.

When discussion of the pending motion was resumed.

Senator Spann moved that the Committee rise, report progress, and ask leave to sit again at 11 o'clock to-morrow forenoon.

Which was adopted.

The Committee of the Whole then arose.

When Senator Henry, as Chairman of the Committee of the Whole, reported progress, and asked leave for such committee to sit again to-morrow, at 11 o'clock, A. M.

Senator Brown moved that the report be adopted, and that such leave be granted.

Which was concurred in.

When, on motion, the Senate adjourned.

THOMAS HANNA,

President of the Senate.



## THURSDAY MORNING.

JANUARY 25, 1883.

The Senate met at 10 o'clock, Lieutenant Governor Hanna in the Chair.

Prayer was offered by the Rev. J. H. Doddridge, Fletcher Place M. E. Church, Indianapolis.

The reading of the Journal was being proceeded with, when, on motion of Senator Spann, the further reading of the minutes was dispensed with.

Senator Ernest presented the following petition :

We, the undersigned, legal voters of Washington township, Knox county, petition your honorable body that you take such immediate action as will secure the early repassage and the submission to a vote of the people, at a special election, for their ratification or rejection of the prohibitory amendment to our State Constitution.

Signed by Oliver D. Dunn and J. H. Scrogin, and thirty-five others.

Which was referred to the Committee on Temperance without reading.

Senator Brown presented a petition on the same subject, signed by nineteen voters of Brownstown township, Jackson county.

Which was referred to the Committee on Temperance without reading.

Senator Campbell presented a petition on the same subject signed by twenty-five voters of Harrison township, St. Joseph county.

Which was referred to the Committee on Temperance without reading.



Senator Compton presented a petition on the same subject, signed by thirty-two voters of Brazil township, Clay county, and one by 170 voters of Harrison township, Clay county.

Which were referred to the Committee on Temperance without reading.

Senator Davidson presented a petition on the same subject signed by 204 voters of Marshall county.

Which was referred to the Committee on Temperance without reading.

Senator Duncan presented the following petitions on the same subject:

One signed by 140 voters of Bartholomew county.

Also, one signed by thirty-four voters of Bloomington and Perry townships, Monroe county.

Which were referred to the Committee on Temperance without reading.

Senator Faulkner presented the following petitions on the same subject:

One signed by thirty-seven voters of Delaware township, Ripley county.

Also, one signed by thirty-five voters of Shelby township, Ripley county.

Which were referred to the Committee on Temperance, without reading.

Also, one signed by fifty voters of Jackson township, Ripley county, on the same subject.

Which was referred to the Committee on Temperance, without reading.

Senator Fletcher presented a petition signed by J. A. Wildman, E. P. Thompson, and 220 others, citizens of Marion county, in regard to the State Board of Health.

Which was referred to the Committee on Public Health and Vital Statistics, without reading.



Senator Foulke presented the following petitions, praying the repassage and submission of the prohibitory amendment, at a special election, to the voters of the State of Indiana, for their ratification or rejection :

One signed by seventeen voters of Wayne township, Wayne county.

Also, one signed by eight voters of Jackson township, same county.

Which were referred to the Committee on Temperance, without reading.

Senator Bundy presented the following petition on the same subject:

One from the voters of Henry county.

Which was referred to the Committee on Temperance..

Senator Foulke introduced the following petition :

INDIANAPOLIS, January 16, 1883.

*To the Honorable President and Senators :*

The Equal Suffrage Society of Indianapolis (a list of members of which is appended to this paper), believing the claim of women in Indiana to the right of suffrage to be just, and in accordance with the spirit of our republican institutions, ask your honorable body to submit to the qualified voters of the State, at a special election, an amendment to the Constitution of the State, giving to all its citizens, without distinction of sex, the right of suffrage.

We also ask your honorable body to pass a resolution requesting our Senators and Representatives in Congress to vote for a sixteenth amendment to the Constitution of the United States, giving the right of suffrage to all the women of our nation.



We also ask that you appoint a special committee to consider the question of equal suffrage in this State.

Very respectfully,

MARY E. N. CAREY,  
President.

CLAIRE A. WALKER,  
Treasurer.

M. C. RARIDEN, Secretary.

And 181 names, members of said society.

Which was read and referred to the Committee on Rights and Claims of Women, when appointed.

Senator Adkinson presented a petition from forty voters of Center township, Howard county, on the subject of temperance.

Also, one from forty-one voters of Clay township, Howard county, on the same subject.

Which were referred without reading to the Committee on Temperance.

Senator Henry presented a petition from thirty-two voters of Jefferson township, Grant county, on the same subject.

Which was referred to the Committee on Temperance, without reading.

Senator Henry presented a petition from the Common Council of Anderson, as follows:

*To the General Assembly of the State of Indiana:*

The undersigned, officers of the City of Anderson, Indiana, believing that the "State Board of Health" law of said State, approved March 7, 1881, is a species of class legislation that is



expensive and impracticable in its application, do most earnestly and respectfully petition for the repeal of said law.

W. DUNHAM,  
Mayor.

JOHN H. McMILLEN,  
Clerk.

A. J. HUNT,  
Treasurer.

A. HEAGY,  
Marshal.

AMOS COBURN,  
Deputy Marshal.

MILTON S. ROBINSON,  
Attorney.

A. D. WILLIAMS,  
Civil Engineer.

JOHN B. TAYLOR,

JOHN C. CULLOM,

THOMAS B. ORR,

J. D. MERSHON,  
Councilmen.

January 24, 1883.

Which was read and referred to the Committee on Public Health.

Senator Hilligass presented the following petitions on temperance:

One from Harrison township, Wells county, signed by twenty-seven votes.

Also, one from Union township, Wells county, signed by twenty-eight voters.

Also, one from Jefferson township, Wells county, signed by nine voters.

Also, one from Salamonie township, Huntington county, signed by thirteen voters.



Which were all referred, without reading, to the Committee on Temperance.

Senator Hoover presented the following petitions on the same subject:

One from Newton township, Jasper county, signed by twenty-one voters.

Also, one from Marion township, Jasper county, signed by forty-six voters.

Also, one from Union township, Jasper county, signed by fifteen voters.

Also, one from Barkley township, Jasper county, signed by thirty voters.

Also, one from Jordan township, Jasper county, signed by twenty-three voters.

And one from Hanging Grove township, Jasper county, signed by twenty-one voters.

Which were all referred, without reading, to the Committee on Temperance.

Senator Hutchinson presented the following petitions on the same subject:

One from Center township, Laporte county, signed by sixty-two voters.

Also, one from Springfield township, Laporte county, signed by forty-two voters.

Also, one from Union township, Laporte county, signed by thirty-three voters.

Also, one from Kankakee township, Laporte county, signed by twenty-five voters.

And one from Scipio township, Laporte county, signed by thirty voters.

Which were all referred to the Committee on Temperance, without reading.



Senator Johnston presented a petition from Pleasant township, Switzerland county, signed by thirty-four voters, on the same subject.

Which was referred, without reading, to the Committee on Temperance.

Senator Keiser presented the following petitions on the same subject:

One from Princeton township, White county, signed by twenty-one voters.

And one from Honey Creek township, White county, signed by thirty-one voters.

Which were referred, without reading, to the Committee on Temperance.

Senator Lockridge presented the following petition:

GREENCASTLE, January 4, 1883.

*To the General Assembly of the State of Indiana:*

The undersigned, members of the Faculty and students of the Indiana Asbury University, believing that ours is a "government of the people by the people, and for the people," believing, also, that our legislators can have no just motive for withholding from the people the right to express, by individual ballot, their several views upon any question of organic law, hereby most respectfully petition the honorable Senate and House of Representatives to take such early action as shall secure the repassage of the pending prohibitory constitutional amendment and its submission to the people for their final ratification or rejection.

That the question may be entirely removed from partisan politics, and its merits be fairly presented to each elector, we further petition and ask that the so-called proposed prohibitory amendment be submitted to the people, at an election called especially for the purpose of amending the Constitution.

Signed by Alexander Martin, President; John E. Earp and 214 others.

Also, one on the same subject, signed by seventeen voters of Franklin and Jackson townships, Putnam county.



Also, one on the same subject, signed by sixty-eight voters of Center township, Hendricks county.

Also, one on same subject, signed by thirty voters of Washington and Guilford townships, same county.

Also, one on same subject, signed by sixty-two voters of Center township, same county.

Also, one on same subject, signed by thirty-six voters of same county.

Also, one on same subject, signed by nineteen voters of Center township, same county.

Which were all referred to the Committee on Temperance.

Senator Macartney presented the following petition on the same subject, signed by sixty-three voters of Fremont township, Steuben county.

Which was referred to the Committee on Temperance, without reading.

Senator Marvin presented the following reports on same subject:

One signed by thirty-four voters of Franklin township, Clinton county.

Also, one signed by forty-six voters of Jackson township, Boone county.

Also, one from Sugar Creek township, signed by eighteen voters, same county.

Which were referred to the Committee on Temperance.

Senator McIntosh presented petitions as follows on the same subject, signed by fourteen voters of Daviess county.

Also, one signed by nineteen voters of Madison township, Daviess county.

Also, one signed by thirty-six voters of Bogard township, Daviess county.

Which were referred to the Committee on Temperance, without reading.



Senator Rahm presented the following petition :

*To the Honorable Members of the Senate and House of Representatives of the State of Indiana :*

GENTLEMEN — We, the undersigned, would respectfully represent that, as certain bills have been introduced into the Senate and House of Representatives, having for their object the repeal of the act creating the State Board of Health; and as, in our judgment, the work of the State and local Boards of Health, created under that act, have performed efficient and valuable service to the citizens of the State, and advanced the interests and welfare of the State, even during the short time they have been in existence.

Therefore, we would petition that no action be taken looking to the repeal of the act, or that would in any manner injure the work, believing that in two years the State and local Boards of Health in Indiana will be recognized by all as indispensable to the health and prosperity of the State.

Signed by James L. Shackelford, W. S. Pollard, M. D., and fifty others.

Which was referred to the Committee on Public Health and Vital Statistics.

Senator Ristine presented a petition from forty-seven voters of Union township, Montgomery county, praying for the re-passage and submission of the prohibitory amendment, at a special election, to the legal voters of the State of Indiana, for their ratification or rejection.

Which was referred to the Committee on Temperance, without reading.

Also, one on the same subject, signed by 235 citizens of the State of Indiana.

Which was also referred to the same committee, without reading.

Senator Smith of Delaware presented three petitions, as follows, on the same subject :

One signed by twelve voters of White River township, Randolph county.



Also, one from White River township, same county, on same subject, signed by forty-one voters.

Also, one signed by thirty-two voters of Washington township, Delaware county, on the same subject.

Which were referred to the Committee on Temperance, without reading.

Senator Smith of Delaware presented the following memorial:

*To the General Assembly of the State of Indiana:*

WHEREAS, It has been the recognized right of government to prohibit or destroy anything detrimental to the public good, as decided by the Supreme Court of the United States; and,

WHEREAS, The liquor traffic—the foe of God and man—with its long train of crime and wretchedness, stands judged and condemned by large multitudes of good and intelligent people; and

WHEREAS, The present laws of the State, adopted for the pretended regulation of the sale of intoxicating liquors as a beverage, have failed to protect the inhabitants of the State against the excessive taxation, pauperism, crime and the destruction of morals, resulting from the liquor traffic; and

WHEREAS, The last session of the General Assembly of the State of Indiana passed a joint resolution, intended as an amendment to our State Constitution forever prohibiting in the State the manufacture and sale of intoxicating liquors as a beverage; therefore,

*Resolved*, That we, the Quarterly Conference of the Methodist Episcopal Church of Winchester, Indiana, do most heartily approve the action of the last General Assembly of the State of Indiana, in voting to submit to a vote of the people such an amendment to our State Constitution.

*Resolved*, That we hereby memorialize, request, petition and pray your honorable body to agree to said amendment, and



vote to submit the same to a direct vote of the people at a special election.

R. D. ROBINSON,  
Presiding Elder.

E. H. BUTLER,  
Secretary.

H. N. HERRICK,  
Pastor.

WINCHESTER, IND., December 10, 1882.

Which was read and referred to the Committee on Temperance.

Senator Smith of Jay presented petitions as follows:

One signed by one hundred citizens of Jay county, praying the repassage and submission of the prohibitory amendment, at a special election to the people of the State of Indiana for their ratification or rejection.

Also, one on the same subject, signed by 133 voters of Washington township, Adams county.

Which were all referred to Committee on Temperance, without reading.

Senator Spann presented a petition on the same subject, signed by fifty-seven voters of Rush county.

Which was referred to the Committee on Temperance, without reading.

Senator Van Vorhis presented a petition on the subject of Temperance, from Center township, Marion county, signed by twenty-eight voters.

Which was referred, without reading, to the Committee on Temperance.

Senator Voyles presented the following petitions on the same subject:

One from Floyd county, signed by 366 voters.

And one from Washington county, signed by sixty-one voters.



Which were referred, without reading, to the Committee on Temperance.

Senator Willard presented the following petitions on the same subject:

One from Marion township, Lawrence county, signed by 122 voters.

Also, one from same township and county, signed by thirty-three voters.

Which were referred, without reading, to the Committee on Temperance.

Senator Youche presented a petition on the same subject from Liberty township, Porter county, signed by twenty-four voters.

Which was referred, without reading, to the Committee on Temperance.

Senator Bundy offered the following memorial, signed by fifty-eight citizens of Henry county:

*To the Honorable Members of the Senate and House of Representatives of the State of Indiana:*

GENTLEMEN—We, the undersigned, would respectfully represent that, as certain bills have been introduced into the Senate and House of Representatives, having for their object the repeal of the act creating the State Board of Health, and as, in our judgment, the work of the State and local boards of health created under that act have performed efficient and valuable service to the citizens of the State, and advanced the interest and welfare of the State, even during the short time they have been in existence, therefore we would petition that no action be taken looking to the repeal of the act, or that would in any way injure the work, believing that in two years the State and local boards of health in Indiana will be recognized by all as indispensable to the health and prosperity of the State.

Yours respectfully,

A. R. WAYMAN,

W. M. BURKE, M. D.,

And fifty-six other citizens.



Which was read and referred to the Committee on Public Health and Vital and Other Statistics.

Senator McCulloch presented a petition on the subject of temperance, signed by twenty-one voters of Robb township, Posey county.

Which was referred, without reading, to the Committee on Temperance.

Senator Marvin, from the Committee on Benevolent and Reformatory Institutions, made the following report on Senate Bill No. 91 :

MR. PRESIDENT :

The Committee on Benevolent and Reformatory Institutions, to whom was referred Senate Bill No. 91, have had the same under consideration, and a majority have instructed me to report the same back, and recommend its passage.

MARVIN,  
Chairman.

Senator Spann called for special order Senate Bill No. 1, and asked leave to withdraw substitute.

Which was granted, and the substitute was withdrawn.

The question being, Shall the minority report of the committee be adopted ?

The ayes and nays being demanded by Senators Spann and Benz, and taken, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Magee, Overstreet, Ristine, Sayre, Smith of Delaware, Van Vorhis, White, Yancey and Youche. Total, 21.

Those voting in the negative were :

Senators Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchin-



son, Johnston, Johnson, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 26.

So the minority report of the committee was rejected.

Senator Bell stated that he was paired with Senator Spann, and declined to vote.

The question being, Shall the majority report of the committee be adopted?

The ayes and nays being demanded and taken resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 27.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Magee, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 22.

So it was concurred in.

Senator Brown offered the following amendment to the bill, and moved its adoption:

MR. PRESIDENT:

I move to amend the second section of the bill by striking out the words "joint ballot on or before the 25th day of January, 1883," and insert in lieu thereof the words "the taking effect of this act."

Also, add the following section to the bill:

SECTION 3. If said President or any of the said Trustees



shall fail to faithfully discharge their duties, or shall violate any provision of the law in the administration of their office, it shall be the duty of the Attorney General to bring an action against such person in the Circuit Court or any of the Superior Courts of the county of Marion. Such action shall be brought in the name of the State on the relation of the Attorney General, upon a verified complaint, filed in the court by the Attorney General. If the finding and judgment of the court be against the respondent in said action, such judgment shall work a forfeiture of his said office and his removal therefrom; and from such time there shall be deemed a vacancy in such office, until the same be filled according to law. Whenever a vacancy shall occur in any of the said offices, by death, resignation, removal, or the forfeiture thereof, the Governor shall appoint a competent person to fill such vacancy until the next meeting of the General Assembly.

BROWN.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were :

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 27.

Those voting in the negative were :

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Magee, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 20.

Senator Spann offered the following amendment :

*Amendment to Section 5.*

MR. PRESIDENT :

I move to amend the bill by adding the following section :

SECTION 5. A competent female physician shall be appointed



by the Board, to have charge of the Department for Insane Women, with such assistants as the Board of Trustees may designate, and she shall enjoy all privileges, and discharge her duties under the supervision of the Superintendent of said Asylum for the Insane.

SPANN.

Which was adopted.

When Senator Brown moved that the bill be engrossed, and moved the previous question.

The ayes and nays being demanded by Senators Spann and Bundy, and taken, resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Marvin, May, McClure, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 26.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Magee, McCulloch, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 23.

So the motion to demand the previous question was adopted.

On the question, Shall the main question be put?

It was so ordered.

Question being on the adoption of the amendment offered by Senator Spann.

The ayes and nays being demanded by Senators Henry and Spann, and taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming,



Foulke, Graham, Henry, Hilligass, Hutchinson, Keiser, Lockridge, Lindley, Macartney, Magee, McIntosh, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 25.

Those voting in the negative were :

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hoover, Howard, Johnston, Johnson, Marvin, May, McClure, McCulloch, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 24.

The following messages were received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the Speaker of the House has signed Enrolled House Bill No. 148, in relation to ceding jurisdiction of this State over certain lands owned and to be owned and held by the United States, and declaring an emergency.

S. W. EDWINS,  
Clerk.

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has concurred in Senate Resolution No. five (5), relating to the appointment of a Committee on Womans' Claims, and the Speaker has appointed the following committee from the House:

Messrs. McMullen, Bowers, Chittenden, Campbell, Wiley.

And the same is herewith transmitted to the Senate for action thereon.

S. W. EDWINS,  
Clerk of the House.

Senators McIntosh, Hilligass, Foulke and Yancey were appointed a special Committee on Rights of Women, by the President, on concurrent resolution offered by Senator Brown, to act with House committee of the same character.



The President announced that he had signed Enrolled Act of the House, No. 148.

Senator Willard asked leave, and it was granted, to make a report from the special committee on Senate Bill 156.

MR. PRESIDENT:

Your special committee to which was referred Senate Bill No. 156, have had the same under consideration, and a majority of said committee would respectfully report the bill back with the recommendation that the same do pass, and that two hundred copies of the same be printed for the use of the Senate and the House.

JAMES H. WILLARD,  
Chairman.

J. M. COMPTON,  
J. E. McCULLOCH.

Senator Sayre presented the following minority report:

MR. PRESIDENT:

Your committee, to whom was referred Senate Bill No. 156, have had the same under consideration, and the undersigned, a majority of said committee, beg leave to report, recommending that further consideration of said bill may be indefinitely postponed.

WARREN G. SAYRE.

MARCUS C. SMITH.

Senator Willard moved the report, ordering 200 copies, with reports thereon, be printed.

It was so ordered.

The hour having arrived for the Senate to go into a committee of the whole on the pending amendments, the President declared the Senate in committee of the whole, and called the Chairman of the committee, Senator Henry, to the Chair.

Pending the discussion of the question, Senator Brown moved



that the committee rise and report progress and meet again at 2 o'clock P. M.

The Chairman made said report and the committee rose to sit again at 2 o'clock in the afternoon.

Senator Bell presented the following memorial:

*To the Honorable Body, the Senate of Indiana:*

The Women's Christian Temperance Union of Indiana, an organization of tens of thousands of representative Christian women, auxiliary to the National Women's Christian Temperance Union, the largest society in the world of women engaged in philanthropic work, come through their representatives, Mrs. Z. G. Wallace, State President, Mrs. M. L. Wells and Miss L. E. Reed, committee, and pray that a hearing before this body be given Mrs. Mary H. Hunt, of Boston, their national representative of scientific instruction in public schools, to show reason why their petition should be granted, which asks this Legislature to enact laws requiring instruction in the nature of alcohol and its effects upon the human tissues, brain and character, given in all schools supported by public money, or under State control.

MRS. Z. G. WALLACE,  
President.

Senator Bell made the following motion:

That the prayer of the memorialists be granted, and that the Senate grant a hearing to Mrs. Hunt at 2 o'clock P. M. to-morrow: *Provided*, The matter under discussion by the committee of the whole shall have been finally disposed of. If not then, that such hearing be given immediately following the conclusion of said matter.

Which motion was adopted.

Senator Marvin was granted unanimous consent to introduce Senate Bill No. 167, entitled:

An act defining the Twentieth Judicial Circuit, creating the Forty-third Judicial Circuit, fixing the times of holding courts in each of said circuits, and providing for the appointment of



a Judge and Prosecuting Attorney for the Forty-first Judicial Circuit.

Which was read a first time and referred to the Committee on Organization of Courts.

Senator May was granted unanimous consent to offer Senate Bill No. 168, entitled:

A bill for an act to legalize the incorporation of the town of Cannelton, in Perry county, in the State of Indiana, to legalize all ordinances, by-laws, orders and other proceedings of the Boards of Trustees of said town, and also the official acts of each and every officer of said town done thereunder; to legalize each and every assessment and levy of taxes made by such Boards of Trustees, to legalize all ordinances, by-laws and ordinances of such Boards of Trustees in relation to the opening, extending, widening or narrowing any street or alley in said town, and also the acts of any and all commissioners appointed thereunder, to legalize the appraisement of damages to the owners of any land or lot through which any street or alley has been constructed, altered or extended, and the assessment of benefits to any real estate or owners thereof, benefited by the opening, widening or extending any street or alley in said town, and declaring an emergency.

H. J. MAY.

Which was read a first time and referred to the Committee on Corporations.

Senator Graham was granted unanimous consent to introduce Senate Bill No. 169, entitled:

An act regulating the liability of principal and sureties upon new and additional official and trust, and other bonds.

Which was read a first time, and referred to the Committee on Judiciary.

Senator Ristine was granted unanimous consent to introduce Senate Bill 170, entitled:

An act to create the Forty-fourth Judicial Circuit, to amend sections twenty-two and twenty-three of an act entitled "An act to divide the State into circuits for judicial purposes, fixing



the time of holding courts therein, abolishing the courts of Common Pleas, and transferring the business thereof to the Circuit Courts, and providing for the election of Prosecuting Attorneys in certain cases," approved March 6, 1873, and also to provide for holding terms of court in the Twenty-first, Twenty-second and Forty-fourth Circuits, providing for the appointment of a Judge in the Forty-fourth Judicial Circuit, and a Prosecuting Attorney in the Twenty-second Judicial Circuit, and other matters connected therewith, and appealing all laws in conflict therewith, and declaring an emergency.

Which was read a first time and referred to the Committee on Organization of Courts.

Senator Henry was granted unanimous consent to introduce Senate Bill No. 171, entitled:

A bill for an act giving authority to sheriffs to administer oaths and to take and certify affidavits, and concerning fees therefor, and declaring an emergency.

Which was read a first time and referred to the Committee on Judiciary.

On motion, the Senate adjourned until 2 o'clock this P. M.



## AFTERNOON SESSION.

THURSDAY, January 25th, 1883.

The Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

The President announced that the hour having arrived when it was ordered the Senate go into Committee of the Whole. He called the chairman of the committee to the Chair, and declared the Senate in Committee of the Whole.

The committee rose, and reported progress; that it still had the same subject matter under consideration, to-wit: the proposed constitutional amendments and the reports of the Judiciary Committee thereon, and asked leave of the Senate to sit again at 10:30 o'clock to-morrow morning.

Which was agreed to by the Senate.

On motion, the senate adjourned until 10 o'clock to-morrow morning.

THOMAS HANNA,

President of the Senate.



## FRIDAY MORNING.

JANUARY 26, 1883.

Senate met at 10 o'clock, Lieutenant Governor Hanna in the Chair.

Prayer was offered by the Rev. L. G. Hay, Presbyterian minister.

The reading of the Journal was being proceeded with, when, on motion of Senator Hutchinson, the reading of the minutes was dispensed with.

Senator Brown presented petitions, as follows:

One signed by thirty-five voters of Jackson township, Jackson county, praying the early repassage and submission to the people of the State of Indiana the prohibitory amendment, for their ratification or rejection.

Also one signed by nine voters of the same township and county on the same subject.

Which were referred to the Committee on Temperance, without reading.

Senator Lockridge presented petitions as follows:

One on the same subject, signed by twelve voters of Liberty township, Hendricks county, and one on the same subject signed by twenty-five voters of Hendricks county.

Which were referred to the Committee on Temperance, without reading.

Senator McIntosh presented petitions as follows:

One signed by twenty-six voters of Veale township, Daviess county, on the same subject.

Also one signed by twenty-six voters of Barr township, same county, on same subject.

Which were referred to the Committee on Temperance without reading.



Senator McIntosh presented the following petition:

*To the Hon. Jacob P. McIntosh:*

WHEREAS, There has been a bill introduced into the House of Representatives, providing for a change in the present Fifteenth Judicial Circuit, known as the Patten Bill.

We, the undersigned, citizens and members of the bar, respectfully request that you use all honorable means to defeat the above named bill, or any other of like import.

Signed by George D. East, W. L. Cavins, and by ninety-nine others.

Also the following letter:

JANUARY 24, 1883.

*Hon. Jacob P. McIntosh, Indianapolis:*

Inclosed we hand you a petition in opposition to the Judicial Bill now pending in the House of Representatives. We had this paper in circulation only three hours. If necessary we can procure three thousand more names in addition to the above. Do not think there are five hundred voters in the county who favor the change.

Yours truly,

W. L. GREENE,

B. F. EAST,

DR. JOHN M. HARROH,

W. L. CAVINS.

Which were both read and referred to the Committee on Organization of Courts.

Senator Benz presented petitions as follows:

One signed by thirty-nine voters of Decatur county, praying the repassage and submission of the prohibitory amendment at a special election, to the people for their ratification or rejection.

Also, one on the same subject, signed by sixteen voters of Adams township, same county.

Which were referred to the Committee on Temperance, without reading.



Senator Davidson presented petitions as follows:

One on the same subject, signed by twenty-nine voters of Henry township, Fulton county.

Also, one on same subject, signed by 41 voters, same township and county.

Which were referred to the Committee on Temperance without reading.

Senator Henry presented petitions on the same subject, as follows:

One signed by forty-five voters of Center township, Grant county.

Also, one signed by twenty-four voters of Richland township, same county.

Also, one signed by fifteen voters of Franklin township, same county.

Also, one signed by sixteen voters of Pleasant township, same county.

Which were all referred to the Committee on Temperance, without reading.

Senator Howard offered petitions on the same subject, as follows:

One signed by seventy-one voters of Clay township, Decatur county.

Also, one signed by thirteen voters of Washington township, same county.

Also, one signed by thirteen voters of the same township and county.

Also, one signed by thirty voters of Shelby.

Which were all referred to the Committee on Temperance without reading.

Senator Bundy moved that the Committee on the Senate Journal be instructed to report to the Senate each day.

Which was so ordered.



Senator Spann called up his notice relative to an amendment of Senate Rule No. 59, and moved its adoption.

Which was so ordered.

Senator Spann made the following motion:

MR. PRESIDENT:

I move to amend Rule 59, of the Senate, by adding the following after the word "hundred": "Except that all bills shall be printed, that may be recommended for passage, together with all amendments that may be recommended by the committee."

SPANN.

Which was adopted.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT, }  
January 26, 1883. }

*To the Honorable, the President of the Senate:*

The Governor desires respectfully to inform the Senate that he has approved and signed Senate Enrolled Bill No. 155, entitled, "An act authorizing charitable associations to change their names, and declaring an emergency," and has caused the same to be filed with the Secretary of State.

FRANK H. BLACKLEDGE,  
Private Secretary.

Senator Ristine presented a petition from Montgomery county, signed by over 500 voters of said county, petitioning the General Assembly of the State of Indiana to pass a bill making Montgomery county a judicial circuit to itself.

Which was referred, without reading, to the Committee on the Organization of Courts.

Senator Magee, from the Committee on Corporations, made the following report on Senate Bill No. 51:

MR. PRESIDENT:

Your committee, to whom was referred Senate Bill No. 51,



have had the same under consideration, and a majority of the committee recommend that it be amended by striking out the words "twenty per cent.," wherever they occur, and inserting in lieu thereof the words "five per cent.," and when so amended they recommend that it do pass.

MAGEE.

Senator Magee, from the same committee, made the following report on Senate Bill No. 36:

MR. PRESIDENT:

Your Committee on Corporations, to whom was referred Senate Bill No. 36, have had the same under consideration, and a majority of the committee recommend that it do pass.

MAGEE.

Senator Hutchinson, from Committee on Corporations, on Senate Bill No. 75, presented the following report:

MR. PRESIDENT:

Your committee, to whom was recommitted Senate Bill No. 75, with instructions to amend by referring to the section of the Revised Statutes of 1881, that the bill proposes to amend, report that the amendment has been made as directed, and they recommend that the bill as amended do pass.

W. B. HUTCHINSON.

Senator Ernest, from the Committee on Roads, offered the following report on Senate Bill No. 139:

MR. PRESIDENT:

Your Committee on Roads, having had Senate Bill No. 139 under advisement, beg leave to report, a majority of the committee recommend that it do pass.

JOSHUA ERNEST, Chairman.

Senator Ernest, from the same committee, reported as follows on Senate Bill No. 115:



MR. PRESIDENT:

Your Committee on Roads, having had Senate Bill No. 115 under advisement, beg leave to report: Section 1, line 2, should be amended so as to read, "Any street railway;" and section 1, line 3, amended to read, "Organized, or that may be organized hereafter;" and thus amended, a majority of the committee recommend that the bill do pass.

JOSHUA ERNEST, Chairman.

Senator Null, from the Committee on Corporations on Senate Bill No. 30, reports as follows:

MR. PRESIDENT:

Your committee to whom was referred Senate Bill No. 30, introduced by Senator Fletcher, have had the same under consideration, and respectfully recommend that it be referred to the Committee on Judiciary.

L. S. NULL.

The report was concurred in and the bill was referred to the Committee on Judiciary.

Senator Null, from the same committee on Senate Bill No. 35, reports as follows:

MR. PRESIDENT:

Your committee to whom was referred Senate Bill No. 35, have had the same under consideration, and a majority of the committee recommend that it be indefinitely postponed.

L. S. NULL.

Senator Rahm, from the Committee on Corporations on Senate Bill No. 38, reports as follows:

MR. PRESIDENT:

Your committee to whom was referred Senate Bill No. 38, introduced by Senator Sayre, have had the same under consideration, and a majority of the committee recommend that the same do pass.

WM. RAHM, JR.



Senator Graham, from the Committee on Judiciary, on Senate Bill No. 151, reported as follows:

**MR. PRESIDENT:**

The Committee on the Judiciary, to whom was referred Senate Bill No. 151, have had the same under consideration and a majority of the committee have directed me to return the bill with the recommendation that it be amended as follows, viz.:

Strike out all after the enacting clause of said bill, and insert the following:

It shall be the duty of each Clerk, Sheriff, and Treasurer, of the several counties in this State, and all other officers receiving money in their official capacity at the expiration of his term of office to pay over to his successor in office, all moneys of every description, to whomsoever due, remaining in his hands at the expiration of such term, taking the receipt of such successor therefor, and such successor and his sureties shall be liable therefor on his official bond, as if he same had been originally collected by him, and any Clerk, Treasurer or Sheriff, so failing to pay over such moneys, or any successor of Clerk, Treasurer or Sheriff, who shall fail to pay over any moneys to parties entitled to receive the same when called on to do so, shall be deemed guilty of embezzlement, and on conviction thereof, shall be fined in any sum not exceeding one thousand dollars and be imprisoned at hard labor in the State Prison, not less than one nor more than five years. And that when so amended the bill do pass.

Senator Hill, from the Committee on County and Township Business, made the following report on Senate Bill No. 34:

**MR. PRESIDENT:**

Your committee, to whom was referred Senate Bill No. 34, a bill for an act to legalize the incorporation of the town of Angola, etc., report that we have had the same under consideration and recommend that the bill do pass, with the following amendments:

1st. Strike out all of page 1 after the word "emergency," in line 9.



2d. Strike out all of page 2.

3d. Strike out all of page 3 prior to and including the word "therefore," in line 2, and insert in lieu thereof the following:

WHEREAS, The incompleteness and irregularity of certain acts and proceedings for the incorporation of said town, together with the irregularity of the action of the several Boards of Trustees, and other officers thereof, have caused doubts to be entertained of the legality of the incorporation of said town, and of the legality of the acts of the Trustees and other officers thereof; therefore.

JAMES HILL,

Chairman of Committee on County and Township Business.

Senator Hill, from the same committee, made the following report on Senate Bill No. 105:

MR. PRESIDENT:

Your committee, to whom was referred Senate Bill No. 105, being an act to legalize the incorporation of Waynetown, Montgomery county, Indiana, etc., have had the same under consideration, and recommend that the bill do pass.

JAMES HILL,

Chairman of Committee on County and Township Business.

Senator Hill, from the same committee, made the following report on Senate Bill No. 96:

MR. PRESIDENT:

Your committee, to whom was referred Senate Bill No. 96, being a bill for an act legalizing the proceedings and contracts of Boards of County Commissioners, etc., have had the same under consideration, and recommend that the bill be indefinitely postponed.

JAMES HILL,

Chairman.

Senator Overstreet, from the Committee on Corporations, made the following report on Senate Bill No. 55:



MR. PRESIDENT:

Your committee, to whom was referred Senate Bill No. 55, have had the same under consideration, and a majority of the committee recommend that it be laid upon the table.

G. M. OVERSTREET.

Senator Foulke offered the following resolution:

*Resolved*, That all engrossed bills be referred to, and reported on, by the Committee on Phraseology before being put upon their passage, unless otherwise directed by the Senate.

FOULKE.

Which was adopted.

Senator Brown, from the Committee on Judiciary, made the following report on Senate Bill No. 135:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate Bill No. 135, have had the same under consideration, and a majority of the committee have directed me to return the bill with the recommendation that it be amended as follows, viz.:

Strike out the words "section one of" in line one, page one; and in line ten, page one, the words "section one of:" *Provided*, That the provisions of this act shall not affect any title acquired under the act hereby repealed; and that when so amended the bill do pass.

The hour having arrived for the Senate to go into Committee of the Whole, the President declared the Senate in Committee of the Whole, and called Senator Henry, Chairman of the Committee, to the chair.

Pending the discussion, the Chairman of the Committee of the Whole reported progress to the Senate, and asked leave to sit again, as such committee, at 1.45 p. m. to-day.

It was, on motion, concurred in, and so ordered by the Senate.

Senator Graham moved that when the Senate adjourn to-day it be to meet on Monday next at 2 o'clock.

Which was rejected.



Senator Van Voorhis moved that the Senate adjourn to 1:45 P. M.

So ordered.

The Senate then adjourned.

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## AFTERNOON SESSION.

JANUARY 26, 1883.

Senate met at 1:45 P. M., Lieutenant Governor Hanna in the Chair.

Senator Benz offered the following resolution:

*Resolved*, That the several attaches of the Senate appointed by the Doorkeeper under the statutes, and also those selected under resolution adopted by the Senate, shall be allowed the following per diem respectively, to-wit: Five dollars per day. And the Auditor of State is ordered to issue his warrant accordingly upon the certificate of the proper officer of the Senate.

BENZ.

Senator Van Vorhis offered the following amendment:

I move to amend by inserting after the word "attaches" the words, "except pages, who shall be paid the amount paid other pages."

The amendment was accepted by Senator Benz.

The question being on the motion to adopt the resolution as amended.

The ayes and nays were demanded by Senators Duncan and Faulkner.

By unanimous consent, further consideration of the resolution was continued.

The hour having arrived for the Senate to go into Commit-



tee of the Whole, the President declared the Senate in Committee of the Whole, and called the Chairman, Senator Henry, to the Chair.

Senator Graham moved that the committee rise and report progress and ask leave to sit again on Monday next, at 2 o'clock P. M.

Senator Henry, Chairman of the Committee of the Whole, reported progress and asked leave to sit again Monday next, at 2 o'clock P. M.

The report was concurred in, and it was so ordered.

Senator Bell moved that when the Senate adjourn it adjourn to meet at 10:30 o'clock Monday morning next.

Which was adopted.

Senator Faulkner moved that the Senate adjourn.

Which motion was rejected.

Senator Benz's resolution, relating to paying the attaches of the Senate under the Doorkeeper, was taken up.

The question being on the motion to adopt the resolution as amended by Senator Van Vorhis.

The resolution was adopted.

On motion of Senator Bell, the Senate adjourned to meet at 10:30 A. M., on Monday next.

THOMAS HANNA,  
President of the Senate.



## MONDAY MORNING.

JANUARY 29, 1883.

The Senate met at 10:30 o'clock, Lieutenant Governor Hanna in the Chair.

Prayer was offered by Rev. A. C. Wilmore, Pastor of the First United Brethren Church, Indianapolis.

The Journal of last Friday was read and approved.

Senator Brown presented the following memorial:

JANUARY 26, 1883.

*President State Senate:*

Will you have the kindness to hand the following to the committee having the landlords' and boarding-house keepers' hash bill in charge.

GENTLEMEN—I see you have a bill up giving hotel keepers, etc., extra methods of collecting their debts, or, rather, making it a penal offense to be in their debt, which is all right as far as the writer is concerned, as he always pays his bills, for which he sometimes receives very poor returns.

What I want is another section to the bill, with the same penalty as the present section contains, making it a criminal offense for any hotel keeper, boarding-house keeper, etc., to put any person in a bed containing bed bugs, fleas or lice. I am a commercial traveler, and in summer some of the hotels fairly swarm with bed bugs, and after fighting bugs all night we have no appetite for breakfast, and it is clear gain to the landlord.

So I will thank you to go for the dead-beats, landlords, bed bugs and fleas, and greatly oblige.

Yours respectfully,

WILLIAM HENRY JONES,

Commercial Traveler.

Which was read, and, on motion, was referred to Senator Benz as a special committee of one.



Senator Bundy offered a petition signed by 104 voters of Greensboro township, Henry county, asking the General Assembly of the State of Indiana to take such immediate action as will secure the early repassage and the submission to a vote of the people, for their ratification or rejection, of the prohibitory amendment to our State Constitution.

Which was referred, without reading, to the Committee on Temperance.

Senator Benz offered a petition, signed by sixteen voters of Orange county, on the same subject.

Which was referred, without reading, to the Committee on Temperance.

Senator Bichowsky offered a petition, signed by thirty-eight voters of Lost Creek township, Vigo county, on the same subject.

Which was referred, without reading, to the Committee on Temperance.

Senator Bundy presented a petition, signed by 206 voters of Dudley township, Henry county, on the same subject.

Which was referred, without reading, to the Committee on Temperance.

Senator Campbell presented the following petition :

*Hon. Marvin Campbell, Senator, Indianapolis :*

DEAR SIR—We had supposed when Mr. Winterbotham published his notice of contest of Major Calkins's election as Representative to Congress from this District, that we should have the opportunity to prove before Congress the falsity of his charges against us. But as he has abandoned that contest and contented himself with denouncing us before the body of which you are a member, we meet him there.

Please state to the Senate for us that any and all charges that we have terrorized, or "bulldozed," as the phrase is, or intimidated any of our workmen into voting for or against any-



body, at any election, national, State or municipal, are malignant falsehoods. In this denial we include all statements that we have threatened dismissal from our works to any one on account of his political course; that we have paid any one in any way for his vote, or that we have prevented the free exercise of the suffrage of any of our twenty-two hundred employes.

We will add that like American citizens generally, our views on national and State questions have been freely and frankly expressed, and will continue to be so expressed, a right we suppose our falsifier claims for himself; but the charge he makes against us of intimidating our workmen or any other citizens, to compel them to vote as we do, is a wicked and groundless calumny, and insulting to the freemen who work for us and vote as independently as we do.

We ask, therefore, that a select committee of five fair-minded and impartial Senators be appointed by your presiding officer, the Lieutenant Governor, a majority of whom shall be Democrats, to visit our works, and we pledge that they shall be given the largest liberty to probe this matter to the fullest extent.

Respectfully yours,

STUDEBAKER BROS. MANUFACTURING Co.

OLIVER CHILLED PLOW WORKS, }  
South Bend, Ind., Jan. 25, 1883. }

Which was read, and Senator Campbell moved that it be referred to the Committee on Elections.

Senator Spann offered the following amendment:

MR. PRESIDENT:

I move to amend by instructing the Committee on Elections to send for persons and papers, and make a full, complete and impartial investigation of the matters of said memorial, and make a full report to the Senate.

SPANN.

Which was, on motion, adopted, and the motion as amended was adopted.



Senator Compton presented a petition signed by J. T. Bellis, M. D., Wm. V. Wiles, M. D. and thirty-two others, protesting against the repeal of the act creating the State Board of Health.

Which was referred to the Committee on Public Health and Vital Statistics, without reading.

Senator Davidson presented a petition signed by 115 voters of Richland township, Fulton county, praying the repassage and submission at a special election of the prohibitory amendment to the people of the State of Indiana for their ratification or rejection.

Also one signed by twenty-eight voters of Green township, Marshall county, on the same subject.

Also one signed by fifty-eight voters of the same county, on the same subject.

Also one signed by twenty voters of Center township, same county, on the same subject.

All of which were referred to the Committee on Temperance, without reading.

Senator Ernest presented petitions, as follows, on the same subject:

One signed by sixteen voters of Jefferson township, Sullivan county.

Also one signed by thirty voters of Palmyra township, Knox county.

Also one signed by forty-one voters of Busseron township, same county.

Which were all referred to the Committee on Temperance, without reading.

Senator Faulkner presented a petition on the same subject signed by seventy-six voters of Posey township, Franklin county.

Which was referred to the Committee on Temperance, without reading.



Senator Fleming presented a petition on the same subject, signed by forty-eight voters of Adams township, Warren county.

Which was referred to the Committee on Temperance, without reading.

Senator Fletcher presented petitions as follows, on the same subject:

One signed by ninety-eight voters of Decatur township, Marion county.

Also, one signed by ten voters of Indianapolis, same county.

Also, one signed by thirty-two voters of Decatur township, same county.

Which were referred to the Committee on Temperance, without reading.

Senator Fletcher presented a petition signed by twenty-four practicing physicians of Indianapolis, against the repeal of the State Board of Health laws.

Which was referred, without reading, to the Committee on Public Health and Vital and other Statistics.

Senator Foulke presented a petition, signed by 197 voters of New Garden township, on the subject of temperance.

Which was referred, without reading, to the Committee on Temperance.

Senator Graham presented a petition, signed by forty-two voters of Washington township, Hamilton county, praying the repassage and submission of the prohibitory amendment, at a special election, to the people of the State of Indiana, for their ratification or rejection.

Which was referred to the Committee on Temperance, without reading.

Senator Henry presented the following petitions, on the same subject, viz.:

One signed by thirty-eight voters of Franklin and Pleasant townships, Grant county.



Also, one signed by forty voters of said county.

Which were referred, without reading, to the Committee on Temperance.

Senator Hoover presented a petition signed by twenty-eight voters of Jordan township, Jasper county, on the same subject.

Which was referred, without reading, to the Committee on Temperance.

Senator Sayre presented a petition on the same subject signed by twenty-one voters of Van Buren and Jefferson townships, Kosciusko county.

Which was referred to the Committee on Temperance, without reading.

Senator Lindley presented petitions on the the same subject, as follows:

One signed by 146 voters of Adams township, Parke county.

Also, one signed by twenty-three voters of Florida township, Parke county.

Which were referred to the Committee on Temperance, without reading.

Senator Richardson presented a petition on the same subject, signed by thirty voters of Pigeon township, Warrick county.

Which was referred to the Committee on Temperance, without reading.

Senator Smith of Delaware, presented a petition on the same subject, signed by forty-nine voters of Stoney Creek township, Randolph county.

Which was referred to the Committee on Temperance, without reading.

Senator White presented petitions on the same subject, as follows:

One signed by sixteen voters of Elkhart county.



Also, one signed by twenty-six voters of Union township, same county.

Which were referred to the Committee on Temperance, without reading.

Senator Willard presented petitions on the same subject, as follows:

One signed by three voters of Marion township, Lawrence county.

One signed by thirty-nine voters of Guthrie township, same county.

Which were referred to the Committee on Temperance, without reading.

Senator Yancey presented petitions on the same subject, as follows:

One signed by twenty-eight voters of Blue River township, Hancock county.

One signed by twenty-five voters of Green township, same county.

Which were referred to the Committee on Temperance, without reading.

Senator Youche, by unanimous consent, introduced Senate Bill No. 172, entitled:

A bill for an act defining the Thirty-first and Thirty-fifth Circuits, etc.

Which was read a first time and referred to the Committee on Organization of Courts.

Senator Youche presented the following memorial in connection with said bill No. 172:

*To the General Assembly of the State of Indiana:*

The undersigned, being all the resident bar and officers of the Porter Circuit Court, respectfully represent that the time allowed for the sessions of said court is wholly insufficient to accomplish the business thereof; that without fault anywhere, the business of said court has been constantly running behind



for the last two years, so that, as the docket now stands, there is no chance of reaching any certain cause for trial for more than one year after the same is at issue and ready for trial; that such a state of things is not only the occasion of great inconvenience to the court and bar, but results in great loss and hardship to honest suitors, and often amounts practically to a denial of justice; that five weeks at each term is the least possible time in which the business of said court can reasonably be accomplished and kept up.

Your memorialists therefore respectfully urge upon the Legislators that the Circuit be, at the earliest practical time, so rearranged that at least five weeks per term be allowed and assigned to said county.

H. A. GILLET,.  
WM. JOHNSTON,  
CHAS. J. McLAUGHLIN,  
E. D. CRUMPACKER,  
A. D. BARTHOLOMEW.  
JOHN H. GILLET,  
F. P. JONES,  
A. L. JONES,  
A. J. BOZARTH,  
J. F. CHURCH,  
JOHN E. CASS,  
J. M. HOWARD,  
T. J. MERRIFIELD,  
JOHN H. SKINNER,  
JOHN W. ROSE,  
W. E. PINNEY,  
J. M. FELTON,  
Clerk Porter Co.

PETE CRUMPACKER,  
Deputy Clerk.

C. W. DICKOVER,  
Sheriff Porter Co.

Dated Valparaiso, December 30, 1882.

Which was referred to the Committee on Organization of Courts.



Senator Voyles, by unanimous consent, introduced Senate Bill No. 173, entitled :

An act supplemental to an act entitled "An act fixing certain fees to be taxed in the offices, and salaries of officers therein named, providing for certain public officers and fixing their compensation, defining certain duties and liabilities of officers and persons therein named, providing for the disposition of certain money, making certain appropriations, declaring certain violations of the provisions of this act to be a penal offense, and prescribing the punishment, and repealing all conflicting laws," approved March 31, 1879, and to all acts amendatory thereof.

VOYLES.

Which was read a first time and referred to the Committee on Fees and Salaries.

Senator Graham moved that 150 copies of the bill be printed.

Which was adopted.

#### CONCURRENT RESOLUTIONS OF THE HOUSE.

The following message from the House, on Concurrent Joint Resolution No. 7, was received by the hand of the Principal Clerk thereof :

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution No. 7, in relation to pensioning the soldiers of the late war according to injuries received in the service, and not according to rank, and other matters connected therewith, and the same is herewith transmitted to the Senate for action thereon.

S. W. EDWINS,  
Clerk.

Which was read.

The Concurrent Resolution was taken up and read, and Senator Foulke moved that the Senate concur in the resolution.

Which motion was adopted and the Senate concurred in the resolution.



Senator Compton introduced Senate Bill No. 174, entitled:  
An act concerning the Supreme Court.

Which was read a first time and referred to the Committee on Organization of Courts.

Senator Faulkner introduced Senate Bill No. 175, entitled:

An act to require the Treasurer of State to make quarterly statements to the Auditor of State, and account for all interest received on public funds belonging to the State, providing punishment for failure so to do, and declaring an emergency.

Which was read a first time and referred to the Committee on Judiciary.

Senator Fletcher introduced Senate Bill No. 176, entitled:

A bill for an act to regulate the sale of medicines and poisons in the State of Indiana.

Which was read a first time and referred to the Committee on Judiciary.

Senator May introduced Senate Bill No. 177, entitled:

A bill for an act to authorize Judges of the Circuit Courts to appoint Master Commissioners, and defining the duties and fixing the compensation of such Master Commissioners, and repealing sections 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 2220, 1238 of the Revised Statutes of 1881, and all other laws or parts of laws heretofore enacted in relation to the appointments, duties and compensation of Master Commissioners, whether in conflict with this act or not, and declaring an emergency.

Which was read a first time and referred to the Committee on Organization of Courts.

Senator McCulloch introduced Senate Bill No. 178, entitled:

A bill for an act supplemental to an act entitled "An act to establish Public Libraries," approved February 16, 1852.

Which was read a first time and referred to the Committee on Education.

On motion of Senator Spann the Senate adjourned.



## AFTERNOON SESSION.

JANUARY 29, 1883.

Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

The President announced that the hour had arrived, set apart by previous order, for the Senate to go into Committee of the Whole on the subject of the proposed constitutional amendments.

Senator Henry, Chairman of the committee, was called to the Chair by the President of the Senate.

The Committee of the Whole reported, by Senator Henry, the Chairman of the committee, as follows:

MR. PRESIDENT:

I am instructed by the Committee of the Whole Senate to report that the committee recommend to the Senate the adoption of the report of the majority of the Judiciary Committee on the resolution offered by Senator Van Vorhis, of Marion county.

CHARLES L. HENRY,  
Chairman.

Senator Brown moved that the report be concurred in.

The ayes and nays being demanded by Senators Brown and Yancey, and taken, resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Bichowsky, Brown, Compton, Davidson, Duncan, Faulkner, Fletcher, Hill, Hilligass, Howard, Hutchinson, Johnston, Johnson, May, McClure, McCulloch, Null, Rahm, Richardson, Smith of Jay, Van Vorhis, Voyles and Youche. Total, 25.

Those voting in the negative were:

Senators Adkinson, Bundy, Campbell, Ernest, Fleming,



Foulke, Graham, Henry, Hoover, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, McIntosh, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, White and Yancey. Total, 23.

So the report was concurred in.

Senator Willard stated that upon this question he was paired with Senator Hostetter, and that, while he did not know how the Senator from Noble would vote upon this question, being a truly legal one, yet that, under the circumstances, he deemed it his duty to refrain from voting, simply announcing the pair.

Senator Bell moved to reconsider the vote, and to lay that motion on the table.

The motion was adopted.

On motion the Senate adjourned until 10 o'clock to-morrow morning.

THOMAS HANNA,

President of the Senate.



## TUESDAY MORNING.

JANUARY 30, 1883.

Senate met at 10 o'clock, Lieutenant Governor Hanna in the Chair.

Prayer was offered by Rev. L. A. Pier, of the Fourth Christian Church, Indianapolis.

The reading of the Journal was being proceeded with, when Senator McIntosh moved that the further reading of the minutes be dispensed with.

The motion was rejected, and the Journal was read in full and approved.

Senator Smith, of Jay, presented a petition signed by Nat P. Hueston, James T. Young, and 280 others, praying that the Legislature would grant an appropriation of \$40,000 to drain and ditch a certain portion of the land of the State known as the "Loblolly."

Which was referred to the Committee on Swamp Lands, without reading.

Senator McIntosh presented a petition signed by eighteen voters of Greene county, praying the repassage and submission of the prohibitory amendment at a special election to the people of the State of Indiana, for their ratification or rejection.

Which was referred to the Committee on Temperance, without reading.

Senator Duncan presented two petitions on the same subject :

One signed by thirty-seven voters of Washington township, Brown county.

And one signed by twenty-two voters of Bean Blossom township, Monroe county.

Which were referred to the Committee on Temperance, without reading.



Senator Keiser presented two petitions on the same subject:

One signed by nineteen voters of West Point township, White county.

And one signed by sixty voters of the same county.

Which were referred to the Committee on Temperance, without reading.

Senator Hilligass presented two petitions on the same subject:

One signed by six voters of Huntington county.

And one signed by three voters of Rock Creek township, same county.

Which were referred to the Committee on Temperance, without reading.

Senator Spann presented a petition from J. D. Hiatt & Son, on account of goods, etc., furnished the House of Refuge for Juvenile Offenders.

Which was referred to the Committee on Benevolent and Reformatory Institutions, without reading.

Senator May, from the Committee on Organization of Courts, on Senate Bill No. 158, reported as follows:

MR. PRESIDENT:

Your Committee on Organization of Courts, to whom was referred Senate Bill No. 158, having fully considered the same, do hereby beg leave to report said bill back to the Senate, with a recommendation that it be indefinitely postponed.

Respectfully submitted,

H. J. MAY.

Senator Benz, from the Committee on Prisons, presented the following report on Senate Bill No. 50:



MR. PRESIDENT:

Your Committee on Prisons, having under consideration Senate Bill No. 50, desires to make a report from a majority of said committee, recommending the passage of said bill.

Respectfully,

JOHN BENZ,  
Chairman.

FRED HOOVER,  
L. S. NULL,  
W. B. HUTCHINSON.

Senator Campbell, from the same committee, makes the following minority report on Senate Bill No. 50:

MR. PRESIDENT:

The following members, the minority of your Committee on Prisons, would recommend the following as a substitute for Senate Bill No. 50:

MARVIN,  
CAMPBELL,  
J. H. LINDLEY,  
WM. D. FOULKE.

An act concerning the official term of the offices of the Northern State Prison Directors, and declaing an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That there shall be elected by the General Assembly of the State of Indiana, at the present session thereof, three Directors of the State Prison North, one of whom shall be, because of his experience, selected from the Directors now holding the office, and shall hold his office for two years from the beginning thereof and until his successor shall be elected and qualified; two of whom shall be selected at the discretion of the General Assembly, and shall hold their offices for four years and until their successors shall be elected and qualified. The beginning of the terms of office of the said Directors shall be at the expiration of terms of office of the present Directors, to-wit: On the fifth day of March, 1883.



SEC. 2. After the first election of Directors as aforesaid, as the term of office of any Director shall expire, his successor shall be elected for the term of four years and until his successor shall be elected, or appointed, and qualified. Such elections shall be by the General Assembly at its session prior to the expiration of said terms of office.

SEC. 3. All laws and parts of laws, and all acts of the present Assembly, conflicting with the provisions of this act, are hereby repealed.

SEC. 4. Whereas an emergency exists, it is hereby declared that this act shall be in force from and after its passage.

Senator Fletcher, from the Committee on Benevolent Institutions, presented the following report on Senate Bill No. 102:

MR. PRESIDENT:

Your Committee on Benevolent Institutions, etc., to whom was referred Senate Bill No. 102, having had the same under consideration, a majority of the Committee request me to return the bill to the Senate, with instructions that the bill be amended by adding to the title the following, after the word "amend" in line one, to-wit: "sections one and four of." And also amend section "one" of the bill by adding and inserting the following words at the close of said section "one," as it now stands, to-wit: "The first election of trustees under this act shall be had upon the taking effect of this act, and such elected Trustees shall immediately succeed the present incumbents." And when the bill is so amended that the bill should pass.

Senator Compton, from the Committee on Mines offered the following report on Senate Bill No. 130:

MR. PRESIDENT:

Your Committee on Mines and Mining, to whom was referred Senate Bill No. 130, introduced by Senator Compton, report that they have had the same under consideration, and a majority of the committee recommend that it do pass.

I. M. COMPTON,  
Chairman.



Senator Richardson, from the Committee on Fees and Salaries, offered the following report on Senate Bill No. 43:

MR. PRESIDENT:

The Committee on Fees and Salaries, to whom was referred Senate Bill No. 43, being a bill to amend section 30 of an act entitled "An act fixing the fees, salaries, duties and compensation of certain officers," etc., approved March 12, 1875, and declaring an emergency, have had the same under consideration, and a majority of the committee have directed me to return the bill with the recommendation that it lie on the table.

E. P. RICHARDSON,  
For Committee.

Senator Hoover, from the Committee on Canals, Drainage and Swamp Lands, offered the following report on House Concurrent Resolution No. 6:

MR. PRESIDENT:

Your committee to whom was referred House Concurrent Resolution No. 6, have had the same under consideration and recommend that the same lie on the table.

FRED. HOOVER,  
Chairman.

Senator Bell, from the Committee on Judiciary, on Senate bill No. 107, reports as follows:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate bill No. 107, have had the same under consideration, and a majority of the committee have directed me to return the bill with the recommendation that it be amended as follows, viz.:

Amend the title to read as follows: "An act relating to powers of attorney, providing for the recording of same."

Insert the word "when" after the word "and" in line 7, page 3.

Insert in line 9, page 3, after the word "act," the words "power to do which is."



Also, after the word "thereby" in line 12, page 3, the following: "As to all such acts done and performed prior to notice of revoking of such authority given by a memoranda thereof entered on the margin of the record of such power of attorney, duly attested by the recorder."

And that when so amended the bill do pass.

R. C. BELL.

Senator McCulloch, from the Committee on Elections, asked leave of absence so that the committee could sit this afternoon at 2 o'clock and the balance of the day.

Which was granted, and so ordered.

Senator Johnson offered the following joint resolution, proposing an amendment to section 1, article 16 of the Constitution, which resolution reads as follows:

A joint resolution proposing an amendment to section 1, article 16 of the Constitution of the State of Indiana.

*Resolved by the General Assembly of the State of Indiana, That section 1 of article 16 of the Constitution of the State of Indiana shall be so amended as to read:*

**SECTION 1.** Any amendment or amendments to this Constitution may be proposed in either branch of the General Assembly; and if the same shall be agreed upon by two-thirds of all the members elected to each of the two Houses, such proposed amendment or amendments shall, with the yeas and nays thereon, be entered and spread at full length on their Journals and referred to the General Assembly to be chosen at the next general election; and if in the General Assembly so next chosen, such proposed amendment or amendments shall be agreed to by two-thirds of all the members elected to each House, then it shall be the duty of the General Assembly to submit such amendment or amendments to the electors of the State at the next general election, and if a majority of said electors shall ratify the same, such amendment or amendments shall become a part of this Constitution.

Which was read.



Senator Johnson moved it be referred to the Committee on the Judiciary, with instructions to report thereon at an early day.

Senator Brown arose to a point of order, that the resolution could not be proposed while proposed amendments are now pending before the Legislature.

Senator Johnson asked leave to withdraw the resolution.

Which was granted.

Senator Brown introduced Senate Bill No. 179, entitled :

A bill for an act to amend section eight of an act providing for the election of Clerks of the Circuit Court, and prescribing some of their duties, approved June 7, 1852, being section 5851 of the Revised Statutes of 1881.

Which was read a first time and referred to the Committee on Judiciary.

Senator Rahm introduced Senate Bill No. 180, entitled :

A bill for an act in relation to claims against municipal corporations and the adjudication of the same.

Which was read a first time and referred to the Committee on Corporations.

Senator Benz called up the special order, it being the consideration of Senate Bill No. 6, and the substitute thereon, offered by Senator Henry.

The question being on the adoption of the substitute.

Senator Campbell moved that the bill, with the substitute, be recommitted to the committee for further consideration, with instructions to report next Monday at 10 o'clock A. M.

Senator Benz moved that the motion be laid on the table.

Which motion was adopted.

Senator Lockridge moved to postpone the further consideration of Senate Bill No. 6, and the substitute thereon, until 2 o'clock P. M. Monday next.



The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Bundy, Campbell, Davidson, Fleming, Graham, Henry, Howard, Hutchinson, Johnson, Keiser, Lockridge, Lindley, Macartney, McCulloch, Null, Ristine, Sayre, Smith of Delaware, Van Vorhis, Youche and Mr. President. Total, 24.

Those voting in the negative were:

Senators Benz, Brown, Compton, Duncan, Ernest, Faulkner, Foulke, Hill, Hilligass, Hoover, Johnston, Magee, Marvin, May, McClure, McIntosh, Overstreet, Rahm, Richardson, Voyles, White, Willard and Yancey. Total, 23.

So the motion was adopted.

Senator Bell offered the following proposed rule:

**MR. PRESIDENT:**

I move to amend Rule 59 of the Senate by striking out the following words: "Except that all bills shall be printed that may be recommended for passage, together with all amendments that may be recommended."

R. C. BELL.

On motion of Senator Brown the Senate adjourned until 2 o'clock P. M.



## TUESDAY AFTERNOON.

JANUARY 30, 1883.

Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

The President of the Senate announced the special order to be the address of Mrs. Hunt, who was introduced, and addressed the Senate on the subject of "Temperance Education in the Public Schools."

Senator Yancey presented a petition signed by W. B. Cox, M. D., J. A. Slifer, and 115 others, praying that the act creating the State Board of Health be not repealed.

Which was referred to the Committee on Public Health, without reading.

Senator Johnson moved that 150 copies of Senate Bill No. 145 be printed.

The motion was adopted.

Senator Brown asked unanimous consent to make correction in Senate Bill No. 1, and made the following motion:

MR. PRESIDENT:

I move to commit Senate Bill No. 1 to a select committee of one, with instructions to strike out the words "first day of February first following," in lines three and four of page three, and insert in place thereof the words "date of."

Also strike out in lines five, six and seven, the words "or about the first Monday in February after the adoption of this act," and insert in place thereof the words "their organization," and report the same to the Senate on or before to-morrow morning.

BROWN.

It was so ordered, and the bill was referred to a committee of one, consisting of Senator Brown.



Senator Bundy called up special order.

It being the consideration of the Governor's executive appointments.

Senator Brown moved to recommit to the Committee on Executive Appointments the reports made by such committee, and that the committee be instructed to report next Monday, February 5th, 1883.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Compton, Davidson, Ernest, Faulkner, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Marvin, May, McClure, McIntosh, Rahm, Richardson, Smith of Jay, and Willard. Total, 21.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lindley, Macartney, Magee, Null, Ristine, Smith of Delaware, Van Vorhis, White, Yancey and Youche. Total, 19.

So the motion was adopted.

Senator Bichowsky introduced Senate Bill No. 181, entitled:

An act to provide for the regulation of the running at large of cattle, horses and mules within the different counties of the State, and to provide for the taking up and impounding and selling of such animals when prohibited from running at large.

Which was read a first time and referred to the Committee on Agriculture.

Senator Brown introduced Senate Bill No. 182, entitled:

An act concerning the Supreme Court, and to repeal an act entitled "An act concerning the Supreme Court," approved April 14, 1881.

Which was read a first time and referred to the Committee on the Judiciary.



Senator Foulke introduced Senate Bill No. 183, entitled :

An act amending an act establishing the State Board of Health.

Which was read a first time and referred to Committee on Public Health, etc.

Senator Campbell introduced Senate Bill No. 184, entitled :

A bill for the amendment of section 4436 of the Revised Statutes of 1881.

Which was read a first time and referred to the Committee on Education.

Senator Brown made a report from select committee on Senate Bill No. 1, as follows :

MR. PRESIDENT :

The select committee, to whom was referred Senate Bill No. 1, reports the same back, and says that the bill is corrected according to the instructions.

J. B. BROWN,  
Select Committee.

The report was concurred in.

Senator Johnston from the Committee on Supervision of the Journal offers the following report, to-wit:

MR. PRESIDENT :

A resolution of the Senate having been adopted Friday, requiring the Committee on Revision of the Journal to make report thereon each day; your committee would respectfully represent that it finds itself in a much more difficult position than its predecessors for many years past.

It is well known that the Journals of the General Assembly can not be impeached on the ground of mistake or fraud; that they are conclusive evidence as to the facts on their face; that the House by whose particular authority the Journal is kept is the only power that can correct it; that the recorded facts of the



Journal are, all of them, important; therefore it seems to your committee that every possible step should be taken to secure its absolute correctness.

It is asking too much of any Senator to read over the bulky mass of matter in even one day's proceedings; and, were he to do so, it is no disparagement to say that no man is competent to supply omissions or make corrections in the Journal who has not kept a record of every motion and action of the body. Of course a short-hand writer can perform that service much better than one who is not; but above everything else experience is the pre-eminent requisite. The services of the clerk who has kept the minutes of the Senate Journal for a great many years past can be obtained to compare each day's Journal with short-hand notes of each day's proceedings, and submit to the Senate through the Committee such omissions and corrections as may be discovered.

Therefore, the committee recommend that it be authorized to employ said clerk.

COLUMBUS JOHNSTON,  
Chairman.

W. B. HUTCHINSON,  
J. W. YOCHE,  
G. M. OVERSTREET,  
RUFUS MAGEE.

Said report was placed on file, to be called up for future action.

Senator Johnson introduced Senate Bill No. 185, entitled:

An act to amend an act entitled "An act to amend the one hundred and fifty-third section of an act entitled an act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865." Approved February 25, 1875.

Which was read a first time and referred to the Committee on Education.



Senator McIntosh introduced Senate Bill No. 186, entitled:

A bill for an act to amend section 155 of an act entitled "An act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865.

Which was read a first time and referred to the Committee on Education.

Senator Rahm introduced Senate Bill No. 187, entitled:

A bill for an act to amend sections one and three of an act entitled "An act to provide for the repair of free turnpike roads in the various counties of Indiana, and constituting the Board of Commissioners of any county in this State a Board of Directors of such roads," approved March 24, 1879, and being sections 5104 and 5106 of the Revised Statutes of 1881.

Which was read a first time and referred to the Committee on Roads.

Senator Voyles introduced Senate Bill No. 188, entitled:

An act to amend section 209 of an act entitled "An act concerning public offenses and their punishment," approved April 14, 1881. (Sec. 2117 R. S., 1881.)

Which was read a first time and referred to the Committee on the Judiciary.

Senator Willard introduced Senate Bill No. 189, entitled:

A bill for an act authorizing railroad companies organized under the laws of the State of Indiana to indorse and gurantee the bonds of any railroad company organized under the laws of any adjoining State, and declaring an emergency.

Which was read a first time and referred to Committee on Railroads.



Senator Foulke was given unanimous consent to introduce Senate Bill No. 190, entitled :

An act legalizing the proceedings for incorporation of macadamized and turnpike road companies operated for twenty years.

Which was read a first time and referred to the Committee on Roads.

Senator Keiser moved that the Senate do now adjourn.

The motion was rejected.

Senator Campbell was given unanimous consent to introduce Senate Bill No. 191, entitled :

An act to amend section 159 of an act entitled "An act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, being section 4521 of the Revised Statutes of 1881.

Which was read a first time and referred to the Committee on Education.

Senator Hutchinson moved that the Senate adjourn.

The motion was rejected.

Senate Bill No. 91 was taken up and read a second time, with the report of the committee thereon.

Senator Voyles offered the following amendment to the bill :

MR. PRESIDENT :

I move to amend Senate Bill No. 91 by inserting in section 2, after the words "shall be," in line four of the printed bill, the following: "Lewis Jordan, Levi A. Barnett and Hanset N. Helens."

VOYLES.



Senator Brown moved that the report of the committee be concurred in.

The ayes and nays being demanded by Senators Foulke and Benz, were taken, and resulted as follows :

Those voting in the affirmative were:

Senators Benz, Brown, Compton, Davidson, Ernest, Faulkner, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McIntosh, Null, Rahm, Richardson, Voyles and Willard. Total, 22.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Fleming, Foulke, Henry, Lindley, Macartney, Ristine, Smith of Delaware, and Van Vorhis. Total, 11.

So the report of the committee was concurred in.

Senator Smith, of Jay, announced pair with Senator Graham, and declined to vote.

On motion the Senate adjourned until to-morrow morning at 10 o'clock.

THOMAS HANNA,

President of the Senate.



## WEDNESDAY MORNING.

JANUARY 31, 1883.

Senate met at 10 o'clock, Lieutenant Governor Hanna in the Chair.

The reading of the Journal was being proceeded with when, on motion of Senator Magee, the further reading of the minutes was dispensed with.

Senator Spann presented a petition from Cornelius Loy.

Which was referred to the Committee on Claims, without reading.

Senator Spann asked that the claim of Hiatt & Co., presented by him yesterday, be withdrawn from the Committee on Benevolent and Reformatory Institutions and committed to the Committee on Claims.

It was so ordered.

Senator Johnston, from the Committee on the Revision of the Journal, called up his report, which was made yesterday.

The report was, on motion of Senator Voyles, laid on the table.

Senator Henry, from the Committee on Phraseology, reported as follows on Senate Bill No. 2:

MR. PRESIDENT:

The Committee on Phraseology instructs me to report Senate Bill No. 2 with the recommendation that the word "passage," in line 2 of section 2, be stricken out, and that the words "taken effect" be inserted in lieu thereof.

HENRY.

The report was concurred in by the Senate.

Unanimous consent was given that the bill be corrected in accordance with the report of the committee.



Senator Henry, from the same committee, reported as follows on Senate Bill No. 89:

MR. PRESIDENT:

The Committee on Phraseology instruct me to return Senate Bill No. 89 without recommending any change therein.

HENRY.

The report was concurred in.

#### BILLS ON THIRD READING.

Engrossed Senate Bill No. 2 was taken up and read a third time.

The question being, Shall the bill pass?

The ayes and nays being taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Bundy, Campbell, Davidson, Duncan, Ernest, Faulkner, Fleming, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lindley, Macartney, Magee, Marvin, May, McClure, McIntosh, Null, Rahm, Richardson, Ristine, Smith of Jay, Spann, Van Vorhis, Voyles, White, Willard and Yancey. Total, 40.

No votes in the negative.

So the bill passed.

The title of said bill was adopted as read.

Engrossed Senate Bill No. 1 was taken up and read a third time.

The question being, Shall the bill pass?

Senator Willard demanded the previous question.

Senators Bundy and Spann demanded the ayes and nays, which were taken and resulted as follows:



Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Ernest, Faulkner, Fletcher, Hill, Hilligass, Howard, Hutchinson, Johnston, Johnson, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 25.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Duncan, Fleming, Foulke, Graham, Henry, Hoover, Keiser, Lockridge, Lindley, Macartney, Magee, Overstreet, Ristine, Sayre, Spann, Van Vorhis, White and Yancey. Total, 22.

So the motion that the previous question be ordered was seconded.

The question being, Shall the main question be put?

It was so ordered.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 27.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Magee, Overstreet, Ristine, Sayre, Spann, Van Vorhis and Yancey. Total, 20.

So the bill passed.

The title was adopted as read.

Senator Spann asked leave to explain his vote.



Objection was made by Senator Willard that it was not in order when acting under the previous question.

The point of order was sustained by the Chair.

Senator Brown moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 28.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Overstreet, Ristine, Sayre, Spann, Van Vorhis, White and Yancey. Total, 19.

So the motion to reconsider the vote was laid on the table.

Pending call of roll, Senator Spann arose to explain his vote.

Senator Willard arose to a point of order that it was not in order.

The Chair decided the point of order not well taken, and Senator Spann was permitted to explain his vote.

Senator Duncan asked leave of absence for Senator Smith, of Delaware, until to-morrow.

No pair was stated.

Which was granted.

Engrossed Senate Bill No. 89 was read a third time.



The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Foulke, Graham, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Ristine, Smith of Jay, Voyles, Willard and Yancey. Total, 33.

Those voting in the negative were:

Senators Bichowsky, Fleming, Henry, Johnson, Keiser, Lockridge, Lindley, Macartney, Overstreet, Sayre, Spann, Van Vorhis and White. Total, 13.

So the bill passed.

The title was adopted as read.

Senator Keiser, from the Committee on Phraseology and Engrossed Bills, offered the following report on Senate Bill No. 22:

MR. PRESIDENT:

The Committee on Phraseology, Titles, etc., instructed me to return engrossed Senate Bill No. 22 without recommending any changes therein.

KEISER.

Which report was concurred in.

Senator Smith of Jay, from the same committee, offered the following report on Senate Bill No. 5:

MR. PRESIDENT:

Your committee, to whom was referred Engrossed Bill No. 5, have had the same under consideration, and a majority of the committee have directed me to return the bill, recommending no change in the phraseology of the bill.

SMITH.

Which report was concurred in.



Senator Smith of Jay, from the same committee, made the following report on Senate Bill No. 113:

MR. PRESIDENT:

Your committee, to whom was referred Engrossed Bill No. 113, would respectfully report that a majority of said committee have directed me to return the bill with the recommendation to insert before the enacting clause in line one, page two, the words "Section 1," and to strike out in line six, page two, the figures "1467 and 1."

Also strike out in in line six, page two, the first abbreviation, "Sec."

SMITH.

On motion the report was concurred in, and unanimous consent was given that the correction be made in conformity with the report, when, on motion, it was ordered that such correction be made.

Engrossed Senate Bill No. 22 was read a third time and placed upon its passage.

The question being, Shall the bill pass?

The ayes and nays being taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Brown, Bundy, Campbell, Compton, Duncan, Fleming, Foulke, Henry, Hilligass, Hoover, Howard, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, May, Rahm, Ristine, Sayre, Smith of Jay, Spann, Van Vorhis, Voyles, White, Willard and Yancey. Total, 31.

Those voting in the negative were:

Senators Davidson, Faulkner, Graham, Hill, Magee, Marvin, McClure, McCulloch, McIntosh, Null, Overstreet and Richardson. Total, 12.

So the bill passed.

The title was adopted as read.



On motion the Senate adjourned to meet at 2 o'clock this afternoon.

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## AFTERNOON SESSION.

JANUARY 31, 1883.

Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

Engrossed Senate Bill No. 5 was read a third time.

The question being, Shall the bill pass?

The ayes and nays being taken, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Benz, Bichowsky, Brown, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lindley, Marvin, May, McClure, Null, Rahm, Richardson, Ristine, Spann, Van Vorhis, Voyles, White, Willard and Yancey. Total, 34.

Those voting in the negative were :

Senators Bundy, Faulkner, Macartney, Magee and McIntosh. Total, 6.

So the bill passed.

The title was adopted as read..

Engrossed Senate Bill No. 113 was read a third time.

The question being, Shall the bill pass?

The ayes and nays being taken resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Brown, Bundy, Camp-



bell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lindley, Macartney, Magee, Marvin, May, McClure, McIntosh, Null, Rahm, Richardson, Ristine, Smith of Jay, Van Vorhis, Voyles, White, Willard and Yancey. Total, 39.

No vote in the negative.

So the bill passed.

Title adopted as read.

Senator Voyles asked leave of absence for the Committee on Elections and Senator Overstreet for the balance of the day.

Which was granted.

Senator Voyles moved that the rules be suspended and Senate Bill No. 91 be taken up.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Foulke, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 26.

Those voting in the negative were:

Senators Adkinson, Bundy, Campbell, Fleming, Graham, Henry, Keiser, Lindley, Macartney, Ristine, Spann, Van Vorhis, White and Yancey. Total, 14.

So the motion was rejected.

Senator Brown arose to a point of order, that Senate Bill No. 91 is in order in the regular order of business.

The point was not sustained.



## HOUSE BILLS ON FIRST READING.

Engrossed House Bill No. 212, with the following message from the House, was taken up :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 212, in relation to changing the time of holding courts in the Thirty-third Judicial Circuit, and other matters connected therewith, and the same is herewith transmitted to the Senate for action thereon.

EDWINS,  
Clerk.

Which was read a first time and referred to the Committee on Organization of Courts.

## SENATE BILLS ON SECOND READING.

Senate Bill No. 91 was taken up.

Senator Voyles moved the adoption of the amendments offered by him on yesterday afternoon.

Senator Spann moved to amend the amendment by striking out the name "Hanset N. Helms," and inserting the name of Finley Bigger.

The question being on the amendment to the amendment offered by Senator Spann.

The ayes and nays were demanded by Senators Spann and Henry, and they were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Lockridge, Lindley, Macartney, Overstreet, Ristine, Sayre, Spann, Van Vorhis, White and Yancey. Total, 18.

Those voting in the negative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan,



Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 27.

Senator Voyles moved that the roll be called for verification, with the above result.

So the amendment to the amendment was lost.

The question being on the adoption of the amendment offered by Senator Voyles.

The ayes and nays being demanded by Senators Lockridge and Yancey, and taken, resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hoover, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 26.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Overstreet, Ristine, Sayre, Spann, Van Vorhis, White and Yancey. Total, 19.

So the amendment by Senator Voyles was adopted.

Senator McCulloch, from the Committee on Elections, was given unanimous consent to offer the following resolution.

MR. PRESIDENT:

Your Committee on Elections respectfully report that on the 17th day of January, 1883, a subpoena was duly issued and placed in the hands of the Doorkeeper of the Senate, commanding him to subpoena certain witnesses, among them one William L. Rude, of Morgantown, Morgan county, Indiana, to appear before the committee, on the 24th day of January,



1883, to testify in the case of Johnson *vs.* Overstreet, bringing with him certain papers in said subpoena specifically named; that said subpoena was duly served on said witness on January 23, 1883, which subpoena and the return thereon is herewith presented.

Your committee would further report that said witness has failed to obey said summons, and has neither appeared nor produced said papers.

Wherefore your committee, upon the consent, motion and request of both parties to said contest and their respective attorneys, ask that an attachment be ordered to be issued and served upon said witness, that his attendance may be enforced, and testimony procured by the committee and said papers be produced.

J. E. McCULLOCH,  
Chairman.

The question being on the adoption of the resolution.

It was adopted, and the attachments ordered issued.

Senator Foulke offered amendments to Senate Bill No. 91, as follows:

*First.* I move to amend Senate Bill No. 91 by striking out from section 2, lines 21 and 22, the words, "by the Superintendent," and inserting in place thereof, "on warrant of the Governor."

*Second.* Also, in section 3, line 2, insert, "not exceeding a number to be fixed by the Governor."

*Third.* Also, by adding to section 11 the words: *Provided*, That no commitment shall be void for failure to comply with this provision."

*Fourth.* Also, by adding to section 13 the following: "When a boy is sent home or sent to a county to reside, the Auditor, as Clerk of the County Board of Commissioners, shall be notified, and a record made in a book kept for that purpose; the Township Trustee to have direct oversight of all boys sent into their respective townships, who shall make a full semi-annual



report of each boy's surroundings, as well as his conduct, to the County Commissioners, who shall transmit the same to the Board of Control."

On the question of the adoption of the first amendment to section 2.

The ayes and nays being demanded by Senators Foulke and Voyles, and taken, resulted as follows :

Those voting in the affirmative were :

Senators Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Keiser, Lockridge, Macartney, Overstreet, Ristine, Sayre, Spann and Van Vorhis. Total, 14.

Those voting in the negative were :

Senators Adkinson, Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Henry, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Lindley, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles, White and Willard. Total, 32.

So the amendment was lost.

On the question of the adoption of the second amendment offered by Senator Foulke, the ayes and nays being demanded by Senators Fletcher, Foulke and Spann, and taken, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bichowsky, Bundy, Campbell, Foulke, Graham, Johnson, Lockridge, Macartney, Overstreet, Ristine, Sayre, Spann, Van Vorhis and White. Total, 15.

Those voting in the negative were :

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Fletcher, Hilligass, Hoover, Hutchinson, Johnston, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 24.

So the amendment was lost.



On the question of the adoption of the third amendment offered by Senator Foulke, it was adopted.

On the question of the adoption of the fourth amendment, offered by Senator Foulke, being stated, he withdrew the said fourth amendment.

Senator Spann offered the following substitute for section 18 of Senate Bill No. 91:

**MR. PRESIDENT:**

I move to amend the bill by substituting the following for section 18:

This law shall not take effect until the term of office of the Trustee of said Home now in office shall expire.

All laws and parts of laws in conflict herewith are hereby repealed.

SPANN.

Senator Brown moved the previous question.

On the question, Shall the motion for previous question be seconded?

The ayes and nays were demanded by Senators Henry and Foulke, and being taken, resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 27.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Fleming, Foulke, Graham, Henry, Lockridge, Macartney, Overstreet, Ristine, Sayre, Spann, Van Vorhis and White. Total, 15.

So the demand was seconded.



On the question, Shall the main question be put?

It was so ordered.

The question being on the adoption of the amendment offered by Senator Spann.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Overstreet, Ristine, Sayre, Spann, Van Vorhis and White. Total, 18.

Those voting in the negative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 26.

So the amendment was lost.

On motion, the bill was ordered to be engrossed.

Senator Bell asked leave of absence for Senator Spann until to-morrow evening at 2 o'clock, and stated that he was paired with him on all political questions.

Which was granted.

On motion of Senator Spann the Senate adjourned until to-morrow morning at 10 o'clock.

THOMAS HANNA,  
President of the Senate.



## THURSDAY MORNING.

FEBRUARY 1, 1883.

The Senate met at 10 o'clock, Lieutenant Governor Hanna in the Chair.

Prayer was offered by the Rev. J. R. Mitchell, Pastor of the Fifth Presbyterian Church, Indianapolis.

The reading of the Journal was being proceeded with when, on motion of Senator Magee, the further reading of the minutes was dispensed with.

Senator Bundy was given unanimous consent to introduce Senate Bill No. 192, entitled:

An act to legalize the incorporation of the town of Cadiz, in Henry county, Indiana, and to legalize the acts of the Board of Trustees and all the other officers of said town, in the levy and assessment of taxes therein, and the record by them made of their acts and proceedings, and all by-laws, ordinances, acts and proceedings passed and executed by them under and pursuant to an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of officers thereof, and declaring their duties," approved January 11, 1852, and acts amendatory thereof.

Which was read a first time.

Senator Bundy moved that the constitutional rules be suspended, the bill read a second time by title, considered engrossed, read a third time by sections, and placed upon its passage.

The ayes and nays being taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Duncan, Ernest, Fleming, Fletcher, Foulke, Henry, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee,



Marvin, May, McClure, McIntosh, Null, Overstreet, Rahm, Ristine, Sayre, Smith of Jay, Van Vorhis, Voyles, White, Willard and Yancey. Total, 40.

Senator Faulkner voting in the negative.

So the constitutional rules were suspended.

The bill was read a second time by title, considered engrossed, read a third time by sections, and placed upon its passage.

The question being, Shall the bill pass?

The ayes and nays being taken, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Foulke, Henry, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Jay, Van Vorhis, Voyles, White, Willard and Yancey. Total, 43.

Those voting in the negative were:

Senators Faulkner and Hill. Total, 2.

So the bill passed.

Title adopted as read.

Senator Van Vorhis was given unanimous consent to introduce Senate Bill No. 193, entitled :

A bill for an act to amend section 1 of an act entitled "An act providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers and duties in civil cases," and declaring an emergency.

Which was read a first time.

Senator Van Vorhis moved to suspend the constitutional rules, that the bill be read a second time by title, considered engrossed, and read a third time by sections and placed upon its passage.

The motion was withdrawn.



Senator Van Vorhis moved that the bill be referred to the Committee on the Judiciary, with the request that they report to-morrow morning.

The motion was adopted and it was so ordered.

Senator Campbell was given unanimous consent to introduce Senate Bill No. 194, entitled :

An act to amend section 34 of an act entitled "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, being section 4425 of the Revised Statutes of 1881.

Which was read a first time and referred to the Committee on Education.

Senator Benz was given unanimous consent to introduce Senate Bill No. 195, entitled :

A bill for an act authorizing public aid to corporations formed for the purpose of constructing or owning plank, macadamized, gravel, clay and dirt roads, by counties, townships, towns and cities taking stock in and making donations to such corporations, and declaring an emergency.

Which was read a first time and referred to the Committee on Roads.

Senator Bell offered a memorial from the citizens of Whitley county, petitioning the General Assembly that they take no action looking to the repeal of the act creating the State Board of Health, signed by thirty-two voters.

Which was referred, without reading, to the Committee on Public Health.

Senator Adkinson presented a memorial from the Kokomo Academy of Medicine, on the same subject.

Which was referred, without reading, to the Committee on Public Health.



Senator Yancey presented a petition from physicians at a meeting held at Greenfield, Ind., praying the Representatives to vote for a medical bill, that every physician practicing in the State of Indiana shall have a diploma from a reputable medical school, or shall have practiced medicine ten years in the State of Indiana, etc.

Which was referred, without reading, to the Committee on Public Health.

Senator Fletcher presented petitions as follows:

Against the repeal of the act creating the State Board of Health.

One signed by eighteen voters of Newton county.

Also, one signed by sixty voters of Bartholomew county.

Also, one signed by forty-nine voters of Wells county.

Which were referred, without reading, to the Committee on Public Health.

Senator Bichowsky presented a memorial from the Physicians' Business Association, of Terre Haute, containing forty-one members, favoring the law allowing graduates and practitioners of ten years' standing to continue their practice in the State.

Which was referred, without reading, to the Committee on Public Health.

Senator Voyles presented the following memorial:

At a regular meeting of the Board of Directors of the Washington County Agricultural, Horticultural, Mechanical and Industrial Association, held on the 6th day of January, 1883, at Salem, Indiana, the following resolution was unanimously adopted, and a copy of the same ordered to be furnished to Hon. S. B. Voyles and Hon. Horace Heffren, our Senator and Representative in the Indiana Legislature:

*Resolved by the Board, That we are in favor of an efficient stock law, requiring owners to keep the same in safe inclosures,*



or when pasturing on uninclosed lands to be in the care of and under control of competent herdsmen; and providing suitable penalties for its violation.

By order of the Board of Directors.

[SEAL.]

FRED. L. PROW, Secretary.

Which was read and referred to the Committee on Agriculture.

Senator Voyles, from Committee on Fees and Salaries, offered the following report on Senate Bill No. 173:

MR. PRESIDENT:

Your Committee on Fees and Salaries, to whom was referred Senate Bill No. 173, on the subject of constructive fees, having duly considered the same, a majority of the committee have instructed me to report said bill back to the Senate, with instructions and a recommendation that said bill should pass.

VOYLES,

Chairman of Committee.

Senator Faulkner from the Committee on Federal Relations, on Senate Bill No. 125, reported as follows:

MR. PRESIDENT:

The Committee on Federal Relations, to whom was referred Senate Bill No. 125, report the same back with the recommendation that the same be amended by adding the following section:

SECTION 2. The repeal of the above entitled act shall have the force and effect to revive the law in force at the time of the passage of the act hereby repealed.

Amend further by changing the number of section 2 of the bill to section 3.

And when so amended, a majority of the committee recommend that the bill do pass.

C. R. FAULKNER,  
Chairman.



Senator Magee, from the Committee on Corporations, on Senate Bill No. 21, reported as follows:

MR. PRESIDENT:

Your Committee on Corporations to whom was referred Senate Bill No. 21, introduced by Senator Rahm, report that they have had the same under consideration, and a majority of the committee have prepared as a substitute for the original bill, the bill returned herewith, which substituted bill they recommend do pass.

Senator Campbell, from the same committee, offered a minority report, as follows:

MR. PRESIDENT:

A minority of your Committee on Corporations would make the following report on the substitute for Senate Bill No. 21:

We recommend that the following be added to section 3, to-wit: *Provided*, That all such poles, posts, masts, towers, appliances and structures, shall be erected and maintained, subject to the direction, supervision and general police power of such City Council or Board of Trustees, and should the same, or any part thereof, in the judgment of said City Council or Board of Trustees, become unsafe, insecure or dangerous to life or property, said City Council or Board of Trustees shall have authority to direct or cause the same to be made safe and secure, and should the owner, or owners thereof, fail or refuse to make the same safe and secure, in the judgment of said Council or Board of Trustees, within such reasonable time as may be fixed in such order or direction, said City Council or Board of Trustees may, in their discretion, order the same removed.

We recommend that section 4 be stricken out.

We recommend that the following be added to section 5, to-wit:

And the claim for damages to be assessed and tendered under this act shall not be confined to the owner of the property upon which any post, pole, mast, tower or other structure to be



used in such lighting, shall be erected, but shall extend to all persons owning property situate within a distance from the site and base of such pole, post, mast, tower or other structure equal to the height of the same.

M. CAMPBELL.

ROBT. GRAHAM.

Senator Magee, from the same committee, reported as follows on Senate Bill No. 119:

MR. PRESIDENT:

Your Committee on Corporations, to whom was referred Senate Bill No. 119, introduced by Senator May, have had the same under consideration, and a majority of said committee recommend that it do pass.

Senator Magee, from same committee, reported as follows on Senate Bill No. 53:

MR. PRESIDENT:

Your committee, to whom was referred Senate Bill No. 53, introduced by Senator Magee, report that they have had the same under consideration, and a majority of said committee recommend that the same do pass.

Senator Magee, from the same committee, reported as follows on Senate Bill No. 180:

MR. PRESIDENT:

Your Committee on Corporations, to whom was referred Senate Bill No. 180, introduced by Senator Rahm, have had the same under consideration, and a majority of said committee recommend that it do pass.

Senator Hutchinson, from the Committee on Banks, on Senate Bill No. 45, reported as follows:

MR. PRESIDENT:

Your Committee on Banks to whom was referred Senate Bill



No. 45, having duly considered the same, beg leave to report said bill back to the Senate with a recommendation that it do pass.

HUTCHINSON,  
Chairman.

Senator Hutchinson, from the same committee, on Senate Bill No. 122, reported as follows:

MR. PRESIDENT :

Your Committee on Banks, to whom was referred Senate Bill No. 122, having duly considered the same, beg leave to report the said bill back to the Senate with a recommendation that it be indefinitely postponed.

HUTCHINSON,  
Chairman.

Senator Foulke, from the Committee on Phraseology, on Engrossed Senate Bill No. 48, reported as follows :

The Committee on Phraseology report the following amendments to Senate Bill No. 48 :

Amend section 2 by inserting in line 6 of said section, after the words "toll road," the words "or any part thereof," and strike out said words from lines 7 and 8 of said section.

Insert the words "of such gravel or macadamized toll road company," after the words "certificates of stock," on line 11 of said section 2.

Insert after the words "for that purpose," in line 9, section 3, "and they shall order its purchase and conversion into a free gravel road."

Insert after the word "viewers," section 3, line 23, the following: "View and assess the benefits of such purchase and conversion."

Strike out the words "and legal representatives," in section 6, line 53, and insert the words "and their legal representatives," after the word "company," in line 56 of said section.

Insert at the end of section 11 the words "entitled an act to provide for the repair of free turnpike roads."

WM. D. FOULKE.



Unanimous consent was given, and Senator Foulke moved that the report be concurred in.

It was so ordered, and on motion the bill was ordered to be amended in conformity thereto.

Senator Bell called up his motion to amend the rules of the Senate.

The question being, Shall the resolution be adopted?

The ayes and nays were demanded by Senators Bell and Yancey, and taken, with the following result:

Those voting in the affirmative were:

Senators Bell, Benz, Bichowsky, Brown, Compton, Davidson, Ernest, Fletcher, Hilligass, Howard, Hutchinson, Johnston, Johnson, Keiser, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Jay, Willard and Youche. Total, 29.

Those voting in the negative were:

Senators Adkinson, Bundy, Duncan, Foulke, Graham, Henry, Hill, Hoover, Lockridge, Lindley, Macartney, Van Vorhis, Voyles, White and Yancey. Total, 15.

So the resolution was adopted.

Senator Benz offered the following resolution:

*Resolved*, That Green Smith, a pestiferous cuss from North Vernon, be excluded from the Senate until he gets his county seat bill over here.

BENZ.

Which was read and declared by the Chair out of order.

Senator Hill, from Committee on County and Township Business, on Senate Bill No. 118, reported as follows:

MR. PRESIDENT:

Your committee to whom was referred Senate Bill No. 118, being a bill for an act to amend sections 181, 186, 232 and 237 of an act concerning taxation, approved March 29, 1881, being



sections 6450, 6455, 6501 and 6506 of the Revised Statutes of 1881, have had the same under consideration and a majority would recommend that section one of said bill be amended by adding to the same the following:

The treasurer shall keep and preserve in book form, stubs of each and all receipts so given, on which shall be written the name of the taxpayer, the town, township or city in which the property paid on is situated, the duplicate number and amount of each tax so paid; whereon it appears that any receipt for the payment of such taxes has been lost or destroyed, such stub shall be read in evidence in lieu thereof; and that when so amended the bill do pass.

JAMES HILL,  
Chairman.

Senator Hoover, from the Committee on Swamp Lands, on Senate Bill No. 149, reported as follows:

MR. PRESIDENT:

Your committee, to whom was referred Senate Bill 149, would respectfully report that a majority of the committee, after considering the same, would recommend that the bill be amended by adding an additional section, to be known as section 6, in these words: "Section 6. That the Auditor of State is also hereby authorized and directed to have appraised and sold, under the provisions and conditions of this act, for the appraisement and sale of other lands of the State, the lands mortgaged for college funds and forfeited to the State for non-payment, and any lands known as university or college lands remaining unsold, the proceeds thereof to be placed in the college fund, in the treasury of the State."

That sections numbered 6 and 7, in the original bill, be numbered 7 and 8.

That when so amended the bill should pass.

FRED. HOOVER,  
Chairman.

Senator Hoover, from the same committee, reported as follows on Senate Bill No. 94:



MR. PRESIDENT:

Your Committee on Swamp Lands, having had Senate Bill No. 94 under advisement, beg leave to report unanimously recommending that the same do pass.

FRED. HOOVER,  
Chairman.

Senator Null, from the Committee on Corporations, reported as follows on Senate Bill No. 74:

MR. PRESIDENT:

Your Committee on Corporations, to whom was referred Senate Bill No. 74, introduced by Senator White, report that they have had the same under consideration, and a majority of said committee recommend that the same do pass.

Senator Bundy asked leave of absence for Senator Adkinson until to-morrow. No pair was stated.

Which was granted.

Senator White moved that the constitutional rules be suspended, that Senate Bill No. 74 be read a second time by title, considered engrossed, read a third time by sections and placed upon its passage.

The ayes and nays being taken resulted as follows:

Those voting in the affirmative were:

Senators Bell, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Van Vorhis, Voyles, White, Yancey and Youche. Total, 44.

Those voting in the negative were:

Senators Benz and Willard. Total, 2.

So the constitutional rules were suspended.



The bill was read a second time by title, considered engrossed, read a third time by sections, and placed upon its passage.

The question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Van Vorhis, Voyles, White, Yancey and Youche. Total, 46.

Senator Willard voted in the negative.

So the bill passed.

Title as read adopted.

Senator Smith of Jay, from the Committee on Phraseology, on Senate Bill No. 67, reported as follows:

MR. PRESIDENT:

Your committee, to whom was referred Engrossed Bill No. 67, beg leave to report that a majority of the committee have directed me to return the bill, recommending no change in the phraseology of the bill.

SMITH.

The report was adopted.

Senator Smith of Jay, from the same committee, on Senate Bill No. 134, reported as follows:

MR. PRESIDENT:

Your committee, to whom was referred Senate Bill No. 134, have had the same under consideration, and a majority have directed me to return the same, recommending no change in its phraseology.

SMITH.

The report was adopted.



Senator Bell was given unanimous consent to offer Senate Bill No. 196, entitled:

A bill for an act to amend sections 9, 38, 47 and 76, of an act entitled "An act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the Courts of Common Pleas and transferring the business thereof to the Circuit Courts, and providing for the election of Judges and Prosecuting Attorneys in certain cases," approved March 6, 1873. .

Which was read a first time and referred to the Committee on Courts.

Senator Magee was given unanimous consent to offer Senate Bill No 197, entitled:

A bill for an act to amend an act entitled "An act to amend an act to divide the State into circuits for judicial purposes, fixing the time of holding the courts therein, abolishing the Courts of Common Pleas and transferring the business thereof to the Circuit Courts and providing for the election of Judges and Prosecuting Attorneys in certain cases, approved March 6, 1873, and creating the Thirty-ninth Judicial Circuit, providing for the appointment of a Judge thereof, and repealing all laws and parts of laws inconsistent therewith, and declaring an emergency," approved March 5, 1875, and amended March 15, 1877, repealing all laws inconsistent therewith, and declaring an emergency.

And also the following memorial accompanying said bill No. 197:

MONTICELLO, IND., January 30, 1883.

*To the Senators and Representatives in the Legislature of the State of Indiana:*

We, the undersigned members of the bar, and county officers of the county of White, in said State, respectfully represent that the business of the Circuit Court of said county can not be properly disposed of on account of the shortness of the terms of said court as now fixed by law; that said business is now accumulating rapidly, and the inability of said court to dispose of said business, on account of want of time, is very detrimental to the interests of litigants.



We deem it absolutely necessary that the time of the terms of said court be extended at least one week; and we request our Senators and Representatives to use their efforts to procure such extension of time.

Signed by A. W. Reynolds, James M. McBeth, Deputy Auditor, M. T. Didluke, Treasurer, and ten other members of the bar, and county officers, and approved by Judge John H. Gould, of 39th Judicial Circuit.

The bill was read a first time with the foregoing memorial.

Senator Magee moved that the rules be suspended, the bill be read a second time by title, considered engrossed, read a third time by sections and placed upon its passage.

The ayes and nays being taken, resulted as follows:

Those voting in the affirmative were:

Senators Bell, Bichowsky, Brown, Bundy, Compton, Davidson, Duncan, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Sayre, Smith of Jay, Van Vorhis, White, Willard and Yancey. Total, 38.

Those voting in the negative were:

Senators Benz, Campbell, Ernest, Johnson, Overstreet, Smith of Delaware, and Youche. Total, 7.

So the rules were suspended, the bill read a second time by title, considered engrossed, read a third time by sections, and placed upon its passage.

The question being, Shall the bill pass?

Senator Foulke moved that further consideration of the bill be postponed until to-morrow morning at 10:30 o'clock.



The motion was rejected.

The ayes and nays were taken on the passage of the bill, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Bichowsky, Bundy, Compton, Davidson, Ernest, Faulkner, Fletcher, Henry, Hill, Hilligass, Hoover, Howard, Johnson, Keiser, Lindley, Macartney, Magee, Marvin, May, McClure, McIntosh, McCulloch, Null, Rahm, Smith of Jay, Van Vorhis, White, Willard and Yancey. Total, 30.

Those voting in the negative were:

Senators Benz, Campbell, Duncan, Fleming, Foulke, Johnston, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Voyles and Youche. Total, 14.

So the bill passed.

The title was adopted as read.

On motion the Senate adjourned until this afternoon at 2 o'clock P. M.

THOMAS HANNA,

President of the Senate.



## AFTERNOON SESSION.

FEBRUARY 1, 1883.

The Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

Senator Fleming asked leave of absence for Senator Faulkner until Monday next, and stated that he was paired with him on all political questions.

Which was granted.

Leave of absence was asked for the Committee on Prisons until Monday morning.

Which was granted.

Senator Sayre asked leave of absence for Senator Macartney until Monday next, and stated that he was paired with Senator Fletcher.

Which was granted.

Senator Foulke, from the special committee on claim of William Schlater, reported as follows:

MR. PRESIDENT:

The special committee to whom was referred the claim of William Schlater, Principal Secretary of the Senate of 1881, report the following bill with the recommendation that it pass.

BUNDY,  
BROWN,  
FOULKE.

Senator McCulloch asked leave of absence for the Committee on Elections for to-day and to-morrow.

Which was granted.

Senator Foulke introduced Senate Bill No. 198, entitled:

An act appropriating two hundred dollars, etc.

Which was read a first time and laid on the table.



Senator Duncan offered the following resolution, and moved its adoption:

WHEREAS, There are now twelve appointees and assistants under the Doorkeeper of the Senate, performing the same duties and no more, which for three successive sessions of the Legislature last past, have been performed by only seven appointees under such officer; and,

WHEREAS, With a view of obtaining the services of an efficient Doorkeeper, who can run said office with seven assistants, as required by law, and, therefore, at far less expense to the people, be it

*Resolved*, That V. P. Kirk, Doorkeeper of the Senate, be and he is hereby discharged and removed from office, and said office of Doorkeeper of the Senate is hereby declared vacant, and that the Senate proceed at once to elect a suitable and competent person to such office.

DUNCAN.

The ayes and nays were demanded by Senators Willard and Benz.

Senator Duncan demanded the previous question.

The ayes and nays were demanded by Senators Willard and Voyles, and taken, with the following result:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Campbell, Duncan, Faulkner, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, McIntosh, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White and Youche. Total, 23.

Those voting in the negative were:

Senators Compton, Davidson, Ernest, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Marvin, May, McClure, McCulloch, Null, Rahm, Richardson, Voyles and Willard. Total, 18.

So the demand for the previous question was agreed to.

On the question, Shall the main question be put?



The ayes and nays were demanded by Senators Hutchinson and Voyles, and taken, with the following result:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Campbell, Duncan, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, McIntosh, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White and Youche. Total, 22.

Those voting in the negative were:

Senators Compton, Davidson, Ernest, Faulkner, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Marvin, May, McClure, McCulloch, Null, Rahm, Richardson, Voyles and Willard. Total, 17.

It was concurred in.

The question being on the adoption of the resolution.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Campbell, Duncan, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, McIntosh, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 23.

Those voting in the negative were:

Senators Compton, Davidson, Ernest, Faulkner, Fletcher, Hill, Hoover, Hutchinson, Hilligass, Johnston, Johnson, Marvin, May, McClure, McCulloch, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 21.

So the resolution was adopted.

Senator Duncan moved to reconsider the vote just taken, and to lay that motion on the table.



The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Campbell, Duncan, Fleming, Fletcher, Foulke, Graham, Henry, Keiser, Lockbridge, Lindley, Macartney, McIntosh, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 24.

Those voting in the negative were:

Senators Bell, Brown, Compton, Davidson, Ernest, Faulkner, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McColloch, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 23.

So the motion was adopted.

Senator Duncan offered the following resolution:

*Resolved*, That Richard Huncheon be and he is hereby elected Doorkeeper of the Senate. DUNCAN.

Senator Marvin raised the point of order that the Senate could not elect by resolution; that the resolution was not in order, because he had not the unanimous consent to introduce it.

Which point was decided not well taken by the Chair.

The Chair did not make a ruling on this, the point of order.

Senator Hilligass offered the following amendment:

I move to amend by substituting the following amendment to the resolution: By substituting the name of Charles A. Edmonds. HILLIGASS.

The question being on the adoption of the amendment by Senator Hilligass, he demanded the previous question, which was seconded.

The question being, Shall the main question be put?

It was so ordered.



On the main question, the ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Bell, Compton, Davidson, Ernest, Faulkner, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles, White and Willard. Total, 25.

Those voting in the negative were:

Senators Adkinson, Benz, Bichowsky, Brown, Bundy, Campbell, Duncan, Fleming, Fletcher, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Yancey and Youche. Total, 21.

It was adopted.

The question then being on the adoption of the resolution as amended.

It was adopted.

Senator Foulke offered the following concurrent resolution:

*Resolved by the Senate of the State of Indiana, the House of Representatives concurring,* That we recommend to our Representatives in Congress, and instruct our Senators, to vote for and urge the passage of Senate Bill No. —, now pending in the Congress of the United States, providing an amendment to the Constitution of the United States, as follows, to-wit: That the right of citizens to vote shall not be denied or abridged by the United States, or any State thereof, on account of sex.

Which was read and referred to Joint Committee on Claims of Women.

Senator Foulke offered the following resolution:

*Resolved,* That the Committee on Elections be required to report on Senate Bills Nos. 77, 82 and 83, to-morrow morning.

The question being on the motion to adopt the resolution.



Senator Brown moved to lay the resolution on the table.

Which was adopted.

So the resolution was laid upon the table.

#### HOUSE CONCURRENT RESOLUTIONS.

House Concurrent Resolution No. 6, with the report of the committee thereon, was read and the report concurred in.

So the resolution was laid upon the table.

Senator Foulke offered the following joint resolution :

A Joint Resolution proposing an amendment to section 2, of article 2, of the Constitution of the State of Indiana, relating to the qualifications of electors, and abolishing all disqualification on account of sex, and moved its reference to Joint Committee on Claims of Women.

Senator Brown arose to a point of order, that while proposed amendments are pending no other propositions to amend the Constitution are in order.

Pending the discussion of the point of order Senator Foulke was given unanimous consent to withdraw the resolution.

Senator Sayre offered the following resolution :

*Resolved*, That a committee of five Senators, all of whom shall be Democrats, be appointed by the President to notify the Indianapolis *Sentinel* of the action of the Senate on the status of the supposed-to-be pending amendments to the Constitution of the State, and, further, to notify said newspaper that in the opinion of the Senate, congratulations to the Democratic party of Indiana are in order, and that some editorial notice or comment would not only be proper, but highly necessary to the Democratic majority of this State.

SAYRE.

Which was declared out of order.

Senator Bundy asked leave of absence for the special committee on probate bills for the balance of the afternoon.



Senate Ristine asked leave of absence for Senator Smith, of Jay, for to-morrow, and stated that he was paired with him on all political questions.

Which was granted.

Senator Ristine moved to refer Senate Bill No. 79 back to the Judiciary Committee.

Which was so ordered.

Senator Bell introduced Senate Bill No. 199, entitled:

A bill for an act supplemental to an act entitled "An act for the organization and regulation of the Indiana Militia," approved May 11, 1861, and matters connected therewith, repealing all laws and parts of laws in conflict herewith, and declaring an emergency.

Which was read a first time and referred to the Committee on Military Affairs.

Senator Benz introduced Senate Bill No. 200, entitled:

A bill for an act to revive an act approved May 14, 1869, entitled "An act authorizing assessment of lands for plank, macadamized and gravel road purposes, prescribing the manner of assessing and collecting the same, and repealing the law on that subject," approved March 11, 1867, and providing that plank, macadamized, turnpike and gravel road companies incorporated after December 1, 1879, shall not have the benefit of the said act so revived, declaring assessments upon lands for turnpike, plank, macadamized and gravel road purposes, in certain cases, to be valid and binding, and providing for the collection and application of the same.

Which was read a first time and referred to the Committee on Roads.

Senator Bichowsky introduced Senate Bill No. 201, entitled:

An act to prohibit the running at large of sheep and swine in the State of Indiana, and to provide for the taking, impounding and selling of said animals in the respective townships, and repealing all acts in conflict with this.

Which was read a first time and referred to the Committee on Agriculture.



Senator Duncan introduced Senate Bill No. 202, entitled :

A bill for an act to pay Mathew M. Campbell for his extra and other services as teacher in the Indiana State University.

Which was read a first time and referred to the Committee on Education.

Senator Foulke introduced Senate Bill No. 203, entitled :

An act authorizing the Trustees of the Institution for the Education of the Deaf and Dumb to sell a strip of land off the south side of the premises occupied by them.

Which was read a first time and referred to the Committee on Benevolent and Reformatory Institutions.

Senator Foulke introduced Senate Bill No. 204, entitled :

An act to amend an act fixing fees and salaries, etc., approved March 12, 1875.

Which was read a first time and referred to the Committee on Fees and Salaries.

Senator Hilligass introduced Senate Bill No. 205, entitled :

An act to allow turnpike companies organized under the act of March 6, 1865, to reorganize, etc.

Which was read a first time and referred to the Committee on Roads.

Senator Johnson introduced Senate Bill No. 206, entitled :

A bill for an act requiring County Auditors to advertise amount of school fund not loaned out in their county at stated periods, and authorizing County Auditors to return the amount of school fund unloaned to the Treasurer of State. Also, declaring an emergency.

Which was read a first time and referred to the Committee on Education.

Senator Keiser introduced Senate Bill No. 207, entitled :

A bill for an act defining the Thirty-first and ——— Judicial Circuits of the State of Indiana, fixing the times for holding courts therein, and declaring an emergency.

Which was read a first time and referred to the Committee on Organization of Courts.



Senator Magee introduced Senate Bill No. 208, entitled:

An act to repeal section 8 of an act entitled an act regulating the issuing and taking up of tickets and coupons of tickets by common carriers, and defining the rights of holders thereof, and other matters in relation thereto, approved March 9, 1875, (the same being section 2911 R. S. 1881).

Which was read a first time and referred to the Committee on Corporations.

Senator Smith of Delaware introduced Senate Bill No. 209, entitled:

An act entitled an act to amend section 5963 of the code, adopted June 9, 1852.

Which was read a first time and referred to the Committee on Judiciary.

Senator Van Vorhis introduced Senate Bill No. 210:

An act relating to the use and carrying of concealed weapons, and providing for permits therefor, and for the confiscation of such weapons; and providing for the punishment of persons who sell, barter, loan or give such weapons to other persons, except as therein provided; and for the repeal of all laws within the purview of this act, and inconsistent therewith.

Which was read a first time, and referred to the Committee on Rights and Privileges.

Senator Brown arose to a question of privilege, asked leave of absence for Captain Edmonds, the Doorkeeper, until Monday evening, next.

Which was so ordered.

Senator Voyles introduced Senate Bill No. 211, entitled:

An act concerning certain neighborhood roads.

Which was read a first time, and referred to the Committee on Roads.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

THOMAS HANNA,  
President of the Senate.



## FRIDAY MORNING.

FEBRUARY 2, 1883.

Senate met at 10 o'clock, Lieutenant Governor Hanna in the Chair.

Prayer was offered by the Rev. John Baltzley, pastor of the First English Lutheran Church, Indianapolis.

The reading of the Journal was being proceeded with, when Senator Henry moved that the further reading of the minutes be dispensed with.

Senator Henry withdrew his motion, and the reading of the Journal was continued to page No. 105.

When, on motion of Senator Yancey, the further reading of the minutes was dispensed with.

The minutes were corrected, and adopted as corrected, as far as read.

The following message was received from the House, by the hand of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Bill No. 231, entitled an act to fix the time of holding courts in the Fourth Judicial Circuit, and declaring an emergency, and the same is herewith transmitted to the Senate for action thereon.

EDWINS,  
Principal Clerk of the House.

Senator Graham asked for leave of absence for Senator Fletcher during the day.

It was granted.



Senator Yancey was given unanimous consent to introduce Senate Bill No. 212, entitled:

An act concerning common schools within the limits of incorporated towns of not exceeding one thousand inhabitants, and prescribing the duties of the officers of such towns and of Township Trustees in certain cases in regard thereto.

Which was read a first time and referred to the Committee on Education.

Senator Adkinson presented the following remonstrance:

*To the Honorable L. D. Adkinson, Senator from Miami and Howard counties, in the Senate of Indiana:*

The undersigned, druggists of Miami county, in the State of Indiana, respectively ask that you use your influence against the passage of any bill which may be introduced in the Senate, or come from the House of Representatives, to regulate or control pharmacy in the State of Indiana, as being unjust and inequitable to the druggists of Indiana, and expensive to their patrons.

[Signed by]

W. V. SPUNNIG,

Registered Pharmacist,

E. S. RAMOND,

Mem. Ind. St. Phar. Ass'n,

And fourteen others.

Which was read and referred to the Committee on Judiciary.

Senator Van Vorhis presented a memorial from Mrs. Sarah May.

Which was referred to the Joint Committee on Public Buildings, without reading.

Senator Johnston presented a petition praying the repeal of the act creating the State Board of Health.

Which was signed by George G. Weismuller, William Henn, and 100 others.

Which was referred to the Committee on Public Health and Vital Statistics, without reading.



Senator Van Vorhis, from the Committee on Judiciary, on Senate Bill No. 193, reported as follows:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 193, have had the same under consideration, and a majority of your committee have instructed me to report the same back with the recommendation that it be amended by striking out all of section one after the word "exceed," in line 10, and inserting the following in lieu thereof: "Two for each township, and one in addition thereto for each incorporated town therein, and one in addition thereto for each incorporated city therein; and authenticated copies of such orders shall be furnished by the Auditor to the Clerk of the Circuit Court: *Provided*, That when any Justice of the Peace is elected or appointed for any incorporated town or city, he shall reside and hold his court within the corporate limits of such town or city, and if any such Justice of the Peace shall reside outside of, or shall hereafter move out of the corporate limits of such town or city, such office shall immediately become vacant.

F. J. VAN VORHIS.

Unanimous consent was given to take up the report and consider the bill on second reading.

Senator Van Vorhis moved that the constitutional rules be suspended and that Senate Bill No. 193 be read a second time by title, considered engrossed, and be read a third time by sections, and placed upon its passage.

The ayes and nays were taken, with the following result:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Brown, Bundy, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Foulke, Graham, Henry, Howard, Johnston, Johnson, Keiser, Lockridge, Magee, May, McClure, McCulloch, McIntosh, Rahm,



Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 37.

Senator Marvin voting in the negative.

So the rules were suspended.

The bill was read a second time by title, and the report of the committee thereon.

The question being, Shall the report of the committee be concurred in?

It was concurred in.

The bill was considered engrossed and read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays being taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Bundy, Compton, Davidson, Duncan, Ernest, Fleming, Foulke, Graham, Henry, Hilligass, Howard, Johnston, Johnson, Keiser, Lockridge, Magee, May, McClure, McIntosh, McCulloch, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 37.

Senator Marvin voting in the negative.

So the bill passed.

Leave of absence was asked for Senator Adkinson until 2 o'clock this afternoon.

Which was granted.

Senator Van Vorhis asked leave of absence for Senator Rahm until Monday afternoon next at 2 o'clock, and stated that he was paired with him on all political questions.

Which was granted.



Senator Compton, from the Committee on Organization of Courts, on Engrossed House Bill No. 212, reported as follows:

MR. PRESIDENT:

Your Committee on Organization of Courts, to whom was referred House Bill No. 212, having duly considered the same, beg leave to report said bill back to the Senate, with a recommendation that it should pass.

Respectfully submitted,

J. M. COMPTON,  
Chairman.

Senator Johnson, from the Committee on Education, on Senate Bill No. 31, reported as follows:

MR. PRESIDENT:

Your Committee on Education, to whom was referred Senate Bill No. 31, introduced by Senator Foulke, beg leave to report that they have had the same under due consideration, and would recommend the following amendments:

Add after the word "may," in line 13, section 1, "with the consent of the Board of Commissioners of the county."

Also, add after the word "township," in line 19, section 1, the words, "for not more than three (3) years successively."

And when so amended, we recommend the bill do pass.

FRANCIS JOHNSON,  
Chairman.

Senator Johnson, from the same committee, on Senate Bill No. 163, reported as follows:

MR. PRESIDENT:

Your Committee on Education, to whom was referred Senate Bill No. 163, introduced by Senator White, beg leave to report that they have had the same under consideration, and a majority of said committee recommend that the bill do pass.

FRANCIS JOHNSON,  
Chairman.



Senator Johnson, from same committee, on Senate Bill No. 185, reported as follows:

MR. PRESIDENT:

Your committee on Education, to whom was referred Senate Bill No. 185, introduced by Senator Johnson, beg leave to report that we have had the same under due consideration, and recommend its passage.

FRANCIS JOHNSON,  
Chairman.

Senator Johnson, from the same committee, on Senate Bill No. 186, reported as follows:

MR. PRESIDENT:

Your Committee on Education, to whom was referred Senate Bill No. 186, introduced by Senator McIntosh, have had the same under consideration, and recommend its passage.

FRANCIS JOHNSON,  
Chairman.

Senator Johnson, from the same committee, reported as follows on Senate Bill No. 191:

MR. PRESIDENT:

Your Committee on Education, to whom was referred Senate Bill No. 191, introduced by Senator Campbell, beg leave to report that we have had the same under consideration, and recommend that the bill lie on the table.

FRANCIS JOHNSON,  
Chairman.

Senator Johnson, from the Committee on Education, reported as follows on Senate Bill No. 194:

MR. PRESIDENT:

Your Committee on Education, to whom was referred Senate



Bill No. 194, introduced by Senator Campbell, beg leave to report that they have had the same under due consideration, and recommend that the bill lie on the table.

FRANCIS JOHNSON,  
Chairman.

Senator Youche, from the Committee on Organization of Courts, reported as follows on Senate Bill 207:

MR. PRESIDENT:

Your Committee on Organization of Courts, to whom was referred Senate Bill No. 207, having duly considered the same, beg leave to report said bill back to the Senate with a recommendation that it do pass.

Respectfully submitted,

J. M. COMPTON,  
Chairman.

Senator Johnston, from the Committee on the Supervision of the Senate Journal reported as follows:

MR. PRESIDENT:

We, the Committee on Supervision and Inspection of the Journal, beg leave to make the following report, viz.: We have examined Tuesday's and Wednesday's Journal, and find them correct.

COLUMBUS JOHNSTON,  
Acting Chairman.

Which was concurred in.

Senator Marvin, from the Committee on Roads, etc., on Senate Bill No. 195, reported as follows:

MR. PRESIDENT:

Your Committee on Roads, having had Senate Bill No. 195 under advisement, beg leave to report: It is recommended by a majority vote that the same be indefinitely postponed.

For the Chairman,

HENRY M. MARVIN,  
One of the Committee.



Senator Hilligass, from the Committee on Roads, on Senate Bill No. 40, reported as follows:

MR. PRESIDENT:

Your Committee on Roads having had Senate bill No. 40, beg leave to report that the committee, by a majority vote, recommends that the same be indefinitely postponed.

HILLIGASS.

Senator Hilligass, from the Committee on Roads, on Senate Bill No. 4, reported as follows:

MR. PRESIDENT:

Your Committee on Roads having considered Senate Bill No. 4, recommend, by a majority vote, that the same be laid upon the table.

W. J. HILLIGASS.

Senator Ernest, from the Committee on roads, on Senate Bill No. 187, reported as follows:

MR. PRESIDENT:

Your Committee on Roads having had Senate Bill No. 187 under advisement, beg leave to report, recommending that the same do pass.

JOSHUA ERNEST,  
Chairman.

Senator Johnston, from the Committee on Roads, on Senate Bill No. 97, reported as follows:

MR. PRESIDENT:

Your Committee on Roads having considered Senate Bill No. 97, beg leave to report that by a majority vote it is recommended that the same be indefinitely postponed.

COLUMBUS JOHNSTON,  
For Chairman of Committee.

Senator Bell, from the Committee on Judiciary, on Senate Bill No. 30, reported as follows:

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Senate



Bill No. 30, have had the same under consideration, and a majority of the committee have directed me to return the bill, with the recommendation that it be amended as follows, and that when so amended the bill do pass:

Strike out in line 5, page 1, the word "thirty," and insert in lieu thereof the word "sixty," and in line 18, page 1, strike out the word "thirty," and insert in lieu thereof the word "sixty." Strike out the words "the extent thereof, and its cause or supposed cause," in lines 21, 22 and 23, page 1, and insert in lieu thereof the words "that the person injured intends to hold the city liable for damages therefor."

R. C. BELL,  
Chairman.

Senator Bell, from the same committee, on Senate Bill No. 85, reported as follows:

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Senate Bill No. 85, have had the same under consideration, and a majority of the committee have directed me to return the bill with the recommendation that it be amended as follows, and that when so amended the bill do pass:

Insert the word "seminary" after the word "college," in line 9, page two (2); also, insert the words "school house" after the word "church," in line 9, page 2. Strike out the words "to township trustees, nor to," in line 2, page 3. Strike out the word "the," in line 3, page 3, and insert in lieu thereof the word "to." Strike out in line 3, page 3, the words, "over which they." Also, in line 4, page 3, strike out the words, "have control," and insert in lieu thereof the words, "of not more than one story high." And further amend by striking out section 2.

R. C. BELL,  
Chairman.

Senator Bell, from the same committee, made report on Senate Bill No. 103, and subsequently was given unanimous consent to withdraw his report thereon.



Senator Bell, from the same committee, on Senate Bill No. 165, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate Bill No. 165, have had the same under consideration, and a majority of the committee have directed me to return the bill, with the recommendation that it do pass.

R. C. BELL,  
Chairman.

Senator Bell, from the same committee, on Senate Bill No. 141, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate Bill No. 141, have had the same under consideration, and a majority of the committee have directed me to return the bill with the recommendation that it do pass.

R. C. BELL,  
Chairman.

Senator Ristine, from the Committee on Roads, on Senate Bill No. 86, reported as follows:

MR. PRESIDENT:

Your committee, to whom was referred Senate Bill No. 86, have had the same under consideration, and recommend that the bill lie on the table.

THEO. H. RISTINE.

Senator Van Vorhis, from the Committee on the Judiciary, on Senate Bill No. 114, reports as follows:

MR. PRESIDENT:

Your Committee on the Judiciary, to whom was referred Senate Bill No. 114, have directed me to report that a majority of the committee recommend that the title to said bill be amended by inserting after the word "amend," the words and figures, "Section 189 of" and after the figures "1881," the



words and figures, "Being section 6458 of the Revised Statutes." That section one of the bill be amended by striking the words and figures, "of the acts of 1881, and being section 6458 of the Revised Statutes of" in lines 6, 7 and 8, and inserting in lieu thereof the words "of an act concerning taxation, approved March 29." Strike out "third Monday in March," and insert in lieu thereof the words "second Monday in February." Strike out of said section all after the words "twenty cents for each description," and that when so amended the bill do pass.

VAN VORHIS.

Senator Van Vorhis, from the Committee on Organization of Courts, on Senate Bill No. 167, reported as follows:

MR. PRESIDENT:

Your committee to whom was referred Senate Bill No. 167, have had the same under consideration, and have directed me to report the same back with the recommendation that it do pass.

F. J. VAN VORHIS,  
For Committee.

Senator Voyles, from the Committee on the Judiciary, on Senate Bill No. 111, reported as follows:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate Bill No. 111, have had the same under consideration, and a majority of the committee have directed me to return the bill, with the recommendation that it do pass.

Senator Voyles, from the same committee, on Senate Bill No. 137, reported as follows:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate Bill No. 137, have had the same under consideration, and a majority of the committee have directed me to return the bill, with the recommendation that it lie on the table.



Senator Voyles, from the same committee, on Senate Bill No. 171, reported as follows :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate Bill No. 171, have had the same under consideration, and a majority of the committee have directed me to return the bill, with the recommendation that it lie on the table.

Senator Voyles, from the same committee, on Senate Bill No 57, reported as follows :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate Bill No. 57, have had the same under consideration, and a majority of the committee have directed me to return the bill, with the recommendation that it do pass.

Senator Brown, from the Committee on Railroads, on Senate Bill No. 189, reported as follows:

MR. PRESIDENT :

Your Committee on Railroads, to whom was referred Senate Bill No. 189, introduced by Senator Willard, report that they have had the same under consideration, and a majority of said committee recommend that said bill do pass.

BROWN,  
Chairman.

Senator McCulloch, from the Committee on the Judiciary, on Senate Bill No. 182, reported as follows :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate Bill No. 182, have had the same under consideration, and a majority of the committee have directed me to return the bill, with the recommendation that it do pass.

McCULLOCH.

On motion of Senator Bell, the Senate adjourned until this afternoon at 2 o'clock.

THOMAS HANNA,  
President of the Senate.



## AFTERNOON SESSION.

FEBRUARY 2, 1883.

The Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

Senator Foulke offered the following resolution :

*Resolved*, That a special committee of three be appointed by the Chair to take into consideration a reapportionment of the school fund among the various counties of this State, with power to report a bill for that purpose.

FOULKE.

Which was adopted.

And Senators Foulke, Johnson and Bichowsky were appointed said committee.

Senator Hilligass offered the following resolution:

*Resolved*, That the Secretary of the Senate have 150 copies of the amended rules of the Senate printed: *Provided*, That fifty copies of the same be deposited with the State Librarian for the use of the next General Assembly.

Which was adopted.

Senator Fleming introduced Senate Bill No. 213, entitled :

An act enabling counties to more readily obtain judgment against officers or persons who wrongfully obtain money, or other things of value, from any county in this State, designating who shall be relator in suits on behalf of a county; exempting such relator from liability for costs, and declaring an emergency.

Which was read a first time and referred to the Committee on Judiciary.

Senator Foulke introduced Senate Bill No. 214, entitled :

An act appropriating \$1,500 to create and enlarge libraries in the State Prison and Reformatory for Women.

Which was read a first time and referred to the Committee on Prisons.



Senator Ristine introduced Senate Bill No. 215, entitled:

A bill for an act to amend section one of an act entitled "An act to amend section 15, and to repeal sections 27 to 38 inclusive, of an act entitled, 'An act to provide for the opening, vacating and change of highways, approved June 17, 1852,' so as to give Boards of County Commissioners jurisdiction," etc., being section No. 5015 of the Revised Statutes of 1881.

Which was read a first time and referred to the Committee on Roads.

Senator Foulke introduced Senate Bill No. 216, entitled:

An act for the promotion, for good behavior, of persons convicted of crime, and for the maintaining of better discipline in prisons.

Which was read a first time and referred to the Committee on Prisons.

Senator Henry asked leave of absence for Senator Magee for to-morrow, and stated that he was paired with him on all political questions.

Which was granted.

#### BILLS ON SECOND READING.

Senate Bill No. 28 was read a second time, with the report of the committee thereon.

The report of the committee was concurred in—that it lie on the table.

Senator Compton asked leave of absence for Senator Graham until Wednesday morning next, and stated that he was paired with him on all political questions.

Which was granted.

Senator Richardson asked leave of absence for Senator Youche until Wednesday, and stated that he was paired with him on all political questions.

Which was granted.



Senator Adkinson asked leave of absence for Senator Davidson until Monday evening, and stated that he was paired with him on all political questions.

Which was granted.

Senator Duncan asked leave of absence for Senator Keiser until Monday morning, and stated that he was paired with him on all political questions.

Which was granted.

Senate Bill No. 58 was read a second time, with the report of the committee thereon—that it do pass.

The report of the committee was concurred in.

Senator Hilligass offered the following amendment:

To strike out the word "seventy," in line —, section —, and insert "sixty-eight."

The question being, Shall the amendment be concurred in?

The ayes and nays were demanded by Senators Smith, of Delaware, and Graham, and being taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Brown, Compton, Davidson, Duncan, Ernest, Henry, Hilligass, Howard, Johnston, Johnson, Keiser, McClure, McIntosh, Richardson, Ristine, Smith of Jay, White, Willard, Yancey and Youche. Total, 21.

Those voting in the negative were:

Senators Bichowsky, Fleming, Graham, Magee, Marvin, Smith of Delaware, and Van Vorhis. Total, 7.

No quorum voting.

Senator Willard moved a roll call of the Senate.

Which was ordered.

Those answering to their names were:

Senators Adkinson, Bichowsky, Brown, Bundy, Compton,



Davidson, Duncan, Fleming, Foulke, Graham, Henry, Hilligass, Howard, Johnston, Johnson, Keiser, Magee, Marvin, McClure, McIntosh, Richardson, Ristine, Smith of Delaware, Smith of Jay, Van Vorhis, Voyles, White, Willard and Youche.

There being only twenty-nine Senators present.

Senator Brown moved that the Senate adjourn.

Which motion was rejected.

Senator Ristine asked leave of absence for Senator Johnston until Tuesday morning next and stated that he was paired with him on all political questions.

Which was granted.

On motion of Senator Marvin, the Senate adjourned until to-morrow morning at 10 o'clock.

THOMAS HANNA,  
President of the Senate.



## SATURDAY MORNING.

FEBRUARY 3, 1883.

The Senate met at 10 o'clock, Lieutenant Governor Hanna in the Chair.

The reading of the Journal was being proceeded with when, on motion of Senator Henry, the further reading of the minutes was dispensed with.

Senator Henry moved that when the Senate adjourn, it adjourn to meet Monday next at 2 o'clock P. M.

Which was adopted.

Senator Smith, of Delaware, asked leave of absence for Senator Fleming until Monday next, at 2 o'clock P. M.

Which was granted.

On motion of Senator Henry the Senate adjourned.

THOMAS HANNA,  
President of the Senate.

## MONDAY AFTERNOON.

FEBRUARY 5, 1883.

Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

The minutes of Saturday morning last were read and approved.

Senator Compton offered the following petition:

*To the Honorable Members of the Senate and House of Representatives of the State of Indiana:*

GENTLEMEN—We, the undersigned, would respectfully represent that, as certain bills have been introduced into the Sen-



ate and House of Representatives, having for their object the repeal of the act creating the State Board of Health, and as, in our judgment, the work of the State and Local Boards of Health, created under that act, have performed efficient and valuable service to the citizens of the State, and advanced the interest and welfare of the State even during the short time they have been in existence.

Therefore, we would petition that no action be taken looking to the repeal of the act, or that would in any way injure the work, believing that in two years the State and Local Boards of Health in Indiana will be recognized by all as indispensable to the health and prosperity of the State.

Yours respectfully,

J. C. GIFFORD, M. D.,

FREDERICK NUSSEL, M. D.,

And two hundred and eight others.

Which was read and referred to the Committee on the State Board of Health and Vital Statistics.

Senator Bichowsky introduced two petitions on the same subject.

Which were referred to the Committee on Public Health and Vital Statistics, without reading.

Senator Adkinson introduced a petition on the same subject.

Which was referred to the Committee on Public Health and Vital Statistics, without reading.

Senator Duncan presented a petition on the same subject.

Which was referred to the same committee, without reading.

Senator Fleming presented three petitions on the same subject.

Which were referred to the same committee, without reading.



Senator Willard presented a petition, praying the Senate not to change the present road law.

Signed by William M. Dunihue, William Day, and fifty-four others.

Which was referred to the Committee on Roads, without reading.

Senator Compton presented a petition, praying the Senate and House of Representatives to enact a law in accordance with the resolution of Hon. Francis Johnson, offered on the 15th ult., on convict labor.

Signed by Joseph McLaughlin, Joseph T. Marley, and 270 others.

Which was referred, without reading, to the Special Committee on Prison Labor, of which Senator Johnson is Chairman.

Senator Adkinson presented a petition, praying the encouragement and support of the militia force of this State.

Signed by G. W. Harm, Thomas M. Moulder, and 125 other citizens of Howard county.

Which was referred, without reading, to the Committee on Military Affairs.

Senator Bichowsky presented a petition on the same subject, signed by A. G. Austin, Wm. H. Armstrong, and 160 other citizens of Vigo county.

Which was referred to the Committee on Military Affairs without reading.

#### SENATE BILLS ON FIRST READING.

Senator Rahm introduced Senate Bill No. 217, entitled:

An act to authorize the Willard Library, of Evansville, Indiana, to sell and convey certain real estate belonging to said library, situate in the city of Evansville, Indiana, and declaring an emergency.

Which was read a first time and referred to the Committee on Corporations.



Senator Willard introduced Senate Bill No. 218, entitled :

A bill for an act to amend sections 94, 95, 138 and 139 of an act entitled, "An act concerning taxation," approved March 29, 1881 (the same being sections 6362, 6363 and 6407 of the Revised Statutes of 1881), and declaring an emergency.

Which was read a first time and referred to the Committee on Finance.

Senator Bell introduced Senate Bill No. 219, entitled :

A bill for an act authorizing and empowering gaslight and water works companies to extend their pipes and mains beyond the corporate limits of the city or town in which the same are located, and to supply gas and water to persons and corporations beyond the corporate limits of such city or town.

Which was read a first time and referred to a special committee of three.

The Chair appointed Senators Bell, Van Vorhis and Spann said committee.

Senator Fletcher offered the following resolution :

*To the General Assembly of the State of Indiana :*

Desiring to remove from this State, I offer to the State of Indiana, for a Governor's residence, my property, No. 250 North Meridian street, located on the southwest corner of Meridian and Michigan streets, and being described as follows :

Part of the northeast quarter of square number 15, in the city of Indianapolis, beginning at the northeast corner of said square 15, thence running south along the east line of said square 80 feet; thence west and parallel to the north line of said square 203 feet, more or less, to an alley; thence north along the east line of said alley 80 feet to the north line of said square, and thence east along said north line 203 feet, more or less, to the place of beginning.

The ground has a frontage on Meridian street of 80 feet and 203 feet on Michigan street.

The building is a three-story brick, stone foundation, the balance pressed brick, slate and iron roof, dimensions about 60



feet wide by 80 feet long, containing 22 rooms and ball room. The building is of modern style, built in the most substantial manner, and being complete in every particular. There is also a two-story brick barn and coach house, 20 feet wide by 65 feet long, built in an equally substantial manner as the residence, and having all the usual conveniences.

This property is located in the heart of the best residence portion of the city, and, I believe, is more complete in all its appointments than any residence in the city. The property has cost me about ninety thousand dollars (\$90,000). I now offer it to the State of Indiana for the sum of seventy thousand dollars (\$70,000), and trust my proposal may have a favorable consideration by your honorable body.

JAMES C. FERGUSON.

INDIANAPOLIS, January 31, 1883.

Therefore, be it

*Resolved*, That a committee of five Senators be appointed to inquire into and report to the Senate with relation to said memorial.

FLETCHER.

The resolution was read and adopted, and referred to the following special committee of five, to-wit: Senators Fletcher, Magee, Bundy, Lindley and Brown.

Senator Bell introduced Senate Bill No. 220, entitled:

A bill for an act to repeal section 105 of "An act entitled an act concerning taxation," approved March 29, 1881, being article 12, section 6373, of the Revised Statutes of Indiana, 1881.

Which was read a first time and referred to the Committee on Judiciary.

Senator Willard introduced Senate Bill No. 221, entitled:

A bill for an act to amend section 1 of an act entitled "An act to provide compensation to the owners of animals killed or injured by cars, locomotives, or other carriages, of any railroad company, in this state, and to enforce the collection of judgment rendered on account of the same, and to repeal all laws



inconsistent therewith," approved March 4, 1863, approved March 4, 1877, the same being section 4025, of the Revised Statutes.

Also to amend sections 2, 3, 4, 5, 6, 7 and 8 of an act entitled "An act to provide compensation to the owners of animals killed or injured by cars, locomotives, or other carriages of any railroad company in this state, to enforce the collection of judgments rendered on account of same, and to repeal all laws inconsistent therewith," approved March 4, 1863, the same being sections 4026 to 4032 of the Revised Statutes of 1881, prescribing the rules of evidence in certain cases, and repealing all laws in conflict with the provisions of this act.

Which was read a first time and referred to the Committee on Agriculture.

Senator Spann introduced Senate Bill No. 222, entitled:

A bill to amend section 1 of "An act concerning drainage," being section 4273 of the Revised Statutes of 1881.

Which was read a first time and referred to the Committee on Canals and Swamp Lands.

Senator Spann introduced Senate Bill No. 223, entitled:

A bill to amend section 21 of "An act to enable the owners of lands to drain and reclaim them, when the same can not be done without affecting the lands of others; prescribing the powers and duties of County Commissioners and other officers in the premises, and to provide for the repair and enlargement of such drains, and repealing certain acts therein specified, and declaring an emergency," the same being section 4305 of the Revised Statutes of 1881.

Which was read a first time and referred to the Committee on Canals and Swamp Lands.

Senator Faulkner introduced Senate Bill No. 224, entitled:

An act to abolish the office of State Librarian, providing for the disposition of the geological and other specimens, and the battle flags and military trophies, and transferring the books,



manuscripts and other papers to the library of the State University, making an appropriation therefor, and declaring an emergency.

Which was read a first time and referred to the Committee on Rights and Privileges.

Senator Willard introduced Senate Bill No. 225, entitled:

A bill for an act to repeal an act entitled "An act to authorize aid to the construction of railroads by counties and townships taking stock in and making donations to railroad companies," approved May 12, 1869; and also to repeal an act entitled "An act to amend sections 1, 2, 3, 4, 8, 13 and 17 of an act entitled 'An act to authorize aid to the construction of railroads by counties and townships taking stock in and making donations to railroad companies,' approved March 17, 1875, (the two acts enumerated above, being from section 4045 to 4057, inclusive, and from 4059 to 4063, inclusive, of the Revised Statutes of 1881,) providing for cases enumerated in this act, repealing all laws in conflict with the provisions of this act, and declaring an emergency."

Which was read a first time and referred to the Committee on County and Township Business.

Senator Willard introduced Senate Bill No. 226, entitled:

A bill for an act to repeal sections 2, 3, 4, 5, 6, 7 and 8, of an act entitled "An act regulating the issuing and taking up of tickets and coupons of tickets by common carriers, and defining the rights of holders thereof, and other matters in relation thereto," approved March 9, 1875 (the same being from sections 2905 to 2911, inclusive, of the Revised Statutes of 1881.)

Which was read a first time and referred to the Committee on Rights and Privileges.

Senator Spann moved that the Senate roll be called.

Which was adopted.

The roll of the Senate being called, showed present:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Comp-



ton, Duncan, Ernest, Faulkner, Fleming, Fletcher, Henry, Hilligass, Hoover, Howard, Hutchinson, Johnson, Keiser, Lockridge, Lindley, Marvin, May, McClure, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Smith of Delaware, Smith of Jay, Van Vorhis, White and Willard. Total 34.

Senator Henry moved that the further call of the Senate be suspended.

It was so ordered.

Senate Bill No. 58 was taken up, and the question being on the amendment by Senator Hilligass.

Senator Smith of Delaware moved that it be referred to the Committee on Phraseology.

Which was adopted.

Senate Bill No. 62 was read a second time, with report of committee thereon.

The report of the committee was concurred in, and the bill ordered engrossed.

Senator Benz moved that Senate Bill No. 6 be made a special order for 2:30 P. M. on to-morrow.

It was so ordered.

Senate Bill No. 107 was read a second time, with report of committee thereon.

The report of the committee was concurred in, and the bill ordered to be engrossed.

Senate Bill No. 50 was read a second time, with the majority and minority reports of committee thereon.

Senator Henry moved that further action on the bill be postponed.

Which was so ordered.

Senate Bill No. 66 was read a second time, with report of the committee thereon.



The report of the committee was concurred in, and the bill ordered engrossed.

Senate Bill No. 147 was read a second time, with report of the committee thereon.

The report of the committee, that the bill lie upon the table, was concurred in.

Senate Bill No. 37 was read a second time, with the report of the committee thereon.

The report of the committee, that the bill be indefinitely postponed, was concurred in.

Senate Bill No. 139 was read a second time, with report of the committee thereon.

The report of the committee was concurred in, and the bill ordered engrossed.

Senator Ristine asked leave of absence for Senator May from to-morrow until Monday next, at 2 P. M., and stated that he was paired with him on all political questions.

It was so ordered.

Senate Bill No. 145 was read a second time, with report of the committee thereon.

The report of the committee was concurred in, and the bill ordered to be engrossed.

Senate Bill No. 47 was read a second time, with report of the committee thereon.

The report of the committee was concurred in, and the bill ordered to be engrossed.

Senate Bill No. 52 was read a second time, with report of the committee thereon.

The report of the committee was concurred in, and the bill ordered to be engrossed.



Senator Spann moved to reconsider the vote on the resolution offered by Senator Fletcher, on the subject of the purchase of the Governor's residence.

It was reconsidered, and by unanimous consent Senator Fletcher offered the following concurrent resolution:

*Resolved by the Senate, the House concurring therein, That a committee of five Senators and seven members of the House be appointed to inquire into and report to the Senate with relation to said memorial.*

Which was adopted.

Senator Spann moved that the Senate adjourn.

The motion prevailed.

THOMAS HANNA,  
President of the Senate.



## TUESDAY MORNING.

FEBRUARY 6, 1883.

Senate met at 10 o'clock, Lieutenant Governor Hanna in the Chair.

Prayer was offered by the Rev. W. A. Patton.

The reading of the Journal was being proceeded with when, on motion of Senator Bundy, the further reading of the minutes was dispensed with.

Senator Bundy was given unanimous consent to introduce Senate Bill No. 227, entitled:

An act to amend sections 3, 4 and 12 of "An act concerning drainage," approved April 8, 1881.

Which was read a first time and referred to the Committee on Canals, Internal Improvements and Swamp Lands.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT,  
INDIANAPOLIS, IND., Feb. 2, 1883. }

*Hon. Thomas Hanna, President of the Senate:*

SIR—The Board of State House Commissioners would be pleased to have the members of the Senate visit the new State House, at their earliest convenience, and examine the building as far as it has progressed. Heretofore, invitations to the Legislature have had reference to the foundation of the building. Now, the grand corridor and the location of the chambers of the Senate and House of Representatives can be shown.

Yours very respectfully,

ALBERT G. PORTER,  
President of the Board.



Senator Johnson was given unanimous consent to introduce Senate Bill No. 228, entitled:

An act for the incorporation of mercantile and commercial companies.

Which was read a first time and referred to the Committee on Judiciary.

Senator Hilligass was given unanimous consent to introduce Senate Bill No. 229, entitled:

A bill for an act regulating the transaction of business by express companies in the State of Indiana.

Which was read a first time and referred to the Committee on Judiciary.

Senator Magee was given unanimous consent to introduce Senate Bill No. 230, entitled:

A bill to amend section 4025 of the Revised Statutes of 1881.

Which was read a first time and referred to the Committee on Railroads.

Senator Smith, of Delaware, was given unanimous consent to introduce Senate Bill No. 231, entitled:

An act to amend section (1) one and (2) two of an act entitled "An act concerning the purchase of toll roads and providing for their maintenance as free roads," approved April 9, 1881, being sections 5107 and 5108 of the code.

Which was read a first time and referred to the Committee on Roads.

Senator Sayre was given unanimous consent to introduce Senate Bill No. 232, entitled:

A bill for an act providing fees of County Clerks in claims against decedents' estates, providing penalties, repealing all laws within the purview of this act, and declaring an emergency.

Which was read a first time and referred to the Special Committee on Decedents' Estates, of which Senator Bundy is chairman.



Senator Bell was given unanimous consent to introduce Senate Bill No. 233, entitled:

A bill for an act providing for the holding of terms, or days or parts of days of terms of the Circuit Courts.

Which was read a first time and referred to the Committee on the Judiciary.

Senator Bundy moved that the Committee on Executive Appointments be required to report immediately.

Senator Brown moved to lay the motion of Senator Bundy on the table.

The ayes and nays being demanded by Senators Willard and Bundy, were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, McClure, McCulloch, McIntosh, Null, Rahm, Smith of Jay, Voyles and Willard. Total, 26.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Overstreet, Sayre, Smith of Delaware, Spann, Van Vorhis, White and Yancey. Total, 19.

So the motion was laid on the table.

Senator Richardson stated that he was paired with Senator Youche, and declined to vote.

Senator Ristine stated that he was paired with Senator May, and declined to vote.

Senator Smith, of Jay, from the Committee on Phraseology, on Senate Bill No. 91, reported as follows:

MR. PRESIDENT:

Your committee, to whom was referred Engrossed Bill No.



91, have had the same under consideration, and a majority of said committee have directed me to return the bill, with the recommendation to amend section 10, line 7, by striking out the word "as," and inserting in lieu thereof the word "which."

Also amend section 12, line 25, by striking out the word "each," and inserting in lieu thereof the word "such."

Also amend section 15 by striking out the word "for" in line 18.

SMITH.

The report was concurred in.

Senator Bundy offered two petitions signed by 100 citizens of Henry county, on military affairs, as follows:

*To the Honorable Senators and Representatives of the Legislature of the State of Indiana:*

GENTLEMEN—We, the undersigned, residents and taxpayers of the county of Henry, State of Indiana, believing that the militia force of this State, as at present organized, should receive encouragement and support from the State, and whereas there has not been, and is not now, any appropriation for its maintenance or assistance, therefore we do most respectfully pray that you will at this present session provide, by a sufficient appropriation, for the payment of armory rents, for the active militia of the State.

We trust this matter will receive your early and favorable consideration.

Which was referred, without reading, to the Committee on Military Affairs.

Senator Rahm offered two petitions signed by fifty-five citizens of Vanderburgh county, on the same subject.

Which was referred, without reading, to the Committee on Military Affairs.

Senator Johnson presented two petitions, signed by sixty-two citizens of Tippecanoe county, on the same subject.

Which was referred, without reading, to the Committee on Military Affairs.



Senator Foulke presented a petition, signed by 436 citizens of Wayne county, on the same subject.

Which was referred, without reading, to the Committee on Military Affairs.

Senator Fletcher presented the following petitions, praying that no action be taken, looking to the repeal of the act creating the State Board of Health; to-wit:

One signed by fifty-six citizens of Benton county.

Also, one signed by fifteen citizens of Winnamac, Pulaski county.

Also, one signed by ten citizens of Rochester, Fulton county.

Also, one signed by ten citizens of Laporte county.

Also, one signed by twenty-five citizens of Ripley county.

Also, one signed by forty-five citizens of Howard county.

Also, one signed by ten citizens of Washington county.

Which were referred, without reading, to the Committee on Public Health and Vital and other Statistics.

Senator Hutchinson presented a petition, praying an appropriation for the maintenance and support of the State militia force.

Signed by 131 citizens of Laporte county.

Which was referred, without reading, to the Committee on Military Affairs.

Senator Johnson presented petitions as follows:

One signed by Jackson Saylor, Joseph C. Little, and 182 other employes of the Indianapolis Rolling Mill, praying the Senate and House of Representatives to enact a law in accordance with the resolutions on convict labor, offered by Senator Johnson.

Also, one on the same subject, signed by P. J. Carpenter, David Rohrer, and 113 other citizens of Indianapolis.



Also, one on the same subject, signed by Waldo W. Williams, James Lunney, and forty-three other citizens of Delphi, Carroll county.

Which were all referred to the Special Committee on Prison Labor.

Senator Keiser presented petitions praying for action in regard to a law relating to the militia.

Which were referred to the Committee on Military Affairs, without reading.

Senator Macartney presented a petition signed by G. W. Poland, Charles Joslan and 100 other citizens of Angola, Steuben county, praying for the passage of a bill taxing foreign fire insurance companies doing business in this State.

Which was referred, without reading, to the Committee on Insurance.

Senator Magee presented a petition, signed by J. Z. Powell, M. D., N. W. Cady, M. D., and fifty-six others, praying that no action be taken looking to the repeal of the act creating the State Board of Health.

Which was referred to the Committee on Public Health, without reading.

Senator Overstreet presented a petition, signed by 300 citizens of Blue River township, Johnson county, on the same subject.

Which was referred to the Committee on Public Health, without reading.

Senator Van Vorhis presented a petition signed by J. W. Hess, William F. Keay, and fifty-eight other citizens of Marion county, praying the encouragement and support of the State militia, and to provide an appropriation to pay armory rent, etc.

Which was referred to the Committee on Military Affairs, without reading.



Senator Campbell presented two petitions, signed by ninety-one citizens of St. Joseph county, praying for an appropriation for the maintenance and support of the militia force of the State of Indiana.

Which was referred, without reading, to the Committee on Military Affairs.

Senator Marvin, from the Committee on Benevolent and Reformatory Institutions, made the following report on Senate Bill No. 87:

**MR. PRESIDENT:**

Your Committee on Benevolent and Reformatory Institutions, to whom was referred Senate Bill No. 87, have had the same under consideration, and the committee have directed me to report the bill, with the recommendation that the bill, as printed, be amended as follows, and that when so amended the bill do pass, viz.:

1. Strike out the word "all," in line 2 of the title, and insert in lieu thereof the word "two."
2. Strike out the word "asylum," in line 2 of the title, and insert in lieu thereof the word "asylums."
3. Insert after the word "State," in the fourth paragraph of the preamble, the words "according to the last census, and the city of Fort Wayne the next in size thereto."
4. Insert after the word "and," in line 1, of the fourth paragraph of the preamble, the words "both are."
5. Insert after the word "county," in line 5, page 1, the words "and also one in Allen county."
6. Insert after the word "State," in line 5, page 1, the word "one."
7. Insert after the word "Evansville," in line 6, section 2, the words, "and, also, one at or near the city of Fort Wayne."
8. Strike out the words "said county," in line 2, section 2, and insert in lieu thereof the words, "each of said counties."
9. Insert after the word "insane," in line 3, section 2, the words "in each."



10. Strike out the word "place," in line 4, of section 2, and insert in lieu thereof the word "places."

11. Strike out the word "asylum," in line 4, section 2, and insert in lieu thereof the word "asylums."

12. Strike out the word "place," in line 7, section 2, and insert in lieu thereof the word "places." Also, strike out the word "asylum," in the same line, and insert in lieu thereof the word "asylums."

13. Strike out the word "place," in line 1, section 3, and insert in lieu thereof the word "places." Also, strike out the word "asylum," in the same line, and insert the word "asylums" in lieu thereof.

14. Insert after the word "at," in line 3, section 3, the words "each of such."

15. Strike out the word "location," in line 3, section 3, and insert in lieu thereof the word "locations."

16. Insert after the word "at," in line 7, section 3, the words "each of." Also, strike out of the same line the word "place" and insert in lieu thereof the word "places."

17. Strike out the word "asylum" wherever it occurs in lines 8, 9, 10 and 11, section 3, and insert in lieu thereof the word "asylums."

18. Insert after the word "patients," in line 13, section 3, the words "in each of said asylums."

19. Strike out the word "asylum," in line 15, section 3, and insert in lieu thereof the word "asylums."

20. Strike out the word "Evansville," in line 2, section 4, and insert in lieu thereof the word "Indianapolis."

21. Strike out the word "a," in line 1, section 6, and insert the word "two" in lieu thereof; also, strike out the word "person," in the same line, and insert in lieu thereof the word "persons."

22. Strike out the word "who," in line 2, section 6, and insert in lieu thereof the words "one of whom."



23. Insert, after the word "building," in line 2, section 6, the words "at the city of Evansville, and one of the buildings at said city of Fort Wayne."

24. Strike out the word "person," in line 1, section 9, and insert the word "persons" in lieu thereof. Also, strike out the word "is" in the same line, and insert in lieu thereof the word "are."

25. Strike out the word "two" wherever it occurs in section 11, and insert in lieu thereof the word "three." Also, strike out the figures "200,000" and insert the figures "300,000."

26. Insert after the word "of," where it occurs the second time, in line 1, section 13, the words "either of."

27. Strike out the word "asylum," wherever it occurs in lines 2, 3, 6 and 7 of section 13, and insert in lieu thereof the word "asylums."

28. Insert after the word "control," in line 4, section 13, the words "of the Board."

29. Strike out the word "asylum," when it first occurs in line 10, section 13, and insert in lieu thereof the words "asylums, and each of them."

30. Strike out the word "asylum," where it occurs the second time, in line 10, section 13, and insert in lieu thereof the word "asylums."

-Respectfully submitted,

HENRY M. MARVIN,  
Chairman.

Senator Bundy, from the special committee of five, on Senate Bill No. 98, asks that the bill be taken from the Special Committee and be recommitted to the Committee on Judiciary.

It was so ordered.

Senator Voyles asked that Senate Bill No. 43 be recommitted to the Committee on Fees and Salaries for further consideration.

It was so ordered.



Senator Bell, from select committee on Senate Bill No. 219, made the following report:

MR. PRESIDENT:

Your special committee to whom was referred Senate Bill No. 219, have had the same under consideration, and recommend that it do pass.

R. C. BELL,  
Chairman.

Senator Van Vorhis moved that the constitutional rules be suspended, the report of the committee on Senate Bill No. 219 acted on, and that the bill be read a second time by title, considered engrossed, read a third time by sections and placed upon its passage.

The ayes and nays being taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Duncan, Ernest, Fleming, Fletcher, Foulke, Graham, Hilligass, Howard, Johnson, Keiser, Lockridge, Lindley, Magee, Marvin, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Spann, Van Vorhis, Voyles, White, Willard and Yancey. Total 37.

Those voting in the negative were:

Senators Faulkner, Henry, Hill, Hoover, Hutchinson, Johnston, Macartney and Smith of Delaware. Total 8.

So the constitutional rules were suspended.

The bill was read a second time by title, the report of the committee was concurred in, the bill considered engrossed, read a third time by sections, and the question being, Shall the bill pass?

The ayes and nays being taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy,



Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White and Yancey. Total, 43.

Senator Willard voted in the negative.

So the bill passed.

The title was adopted as read.

Senator Bundy offered the following resolution :

*Resolved*, That the Clerk of the Supreme Court be requested to furnish the Senate information showing the number of appeals pending in said court on the 1st day of January, 1881, and the number pending therein January 1, 1883, and also the number of cases decided therein during the two years preceding the 1st of January, 1881, and the number decided during the two years following that date.

BUNDY.

Which was adopted.

Senator Marvin, from the Committee on Benevolent and Reformatory Institutions, on Senate Bill No. 46, reported as follows :

MR. PRESIDENT :

Your Committee on Reformatory Institutions have had under consideration Senate Bill No. 46, entitled "A bill to provide for the construction of a sewer from the grounds owned by the State, at or near the Indiana Reformatory Institution for Women and Girls, so as to connect said sewer with one of the principle sewers of the city of Indianapolis, and recommend that the said bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following, and when thus amended the committee further recommend the passage of the bill.

MARVIN,  
Chairman.



That there shall be constructed, with the least possible delay, a good substantial underground brick sewer from a point on the grounds owned by the State, at or near the Indiana Reformatory Institution for Women and Girls, to and to connect with the sewer belonging to the city of Indianapolis, on Washington street at New Jersey street: *Provided*, That if the city shall extend the sewer on Washington street to Noble or Pine street, then the sewer hereby authorized shall terminate at the eastern end of such extension, and shall be there connected with such extended sewer; and the Governor is hereby empowered to pay to the city, to aid in the extension of said sewer, an amount equal to the cost of the construction of such smaller sewer, had such smaller sewer been constructed for an equal distance on Market street. And the Governor of the State is hereby directed and empowered to construct said sewer, and the sum of thirty thousand dollars, or so much thereof as may be necessary, is hereby appropriated for that purpose. The route of such sewer shall be from such point near the Reformatory buildings, to be selected by the Governor, to a point on Ohio street, where it will intersect the sewer leading from the Institution for the Education of the Deaf and Dumb; thence following the route of said sewer, as near as practicable, to Market street; thence down Market street to New Jersey street; thence on New Jersey street to the intersection of the Washington street sewer: *Provided*, That if said city shall extend said Washington street sewer as aforesaid, then and in that case the sewer hereby authorized shall be connected with said Washington street sewer at such point of extension.

SEC. 2. The size of said sewer shall be from the Reformatory Institutions aforesaid to the intersection of the sewer leading from the Institution for the Deaf and Dumb, eighteen by twenty-four inches, egg-shaped, and from that point to the Washington street sewer, thirty inches in diameter.

SEC. 3. The provisions of article 30 of the Revised Statutes of the State of Indiana of 1881, as to the writ of assessment of damages, are hereby extended and applied to all rights of way and other private rights that it may be necessary to acquire in constructing said sewer, and in connecting the same with such city sewer, as contemplated by this act, so far as said provision



may become necessary to be applied, or so far as they can be applied thereto; and such provisions of said article may be invoked for the purpose aforesaid, either by the State, at the instance of the Attorney General, under direction of the Governor, or by said city, at the instance of the City Attorney, under the direction of the Mayor, as the carrying into effect of this act may require.

**SEC. 4.** The Governor is hereby authorized and empowered to employ a competent Civil Engineer to superintend the construction of said sewer, at a compensation not exceeding five dollars per day for each day actually employed.

**SEC. 5.** An emergency is hereby declared to exist for the immediate taking effect of this act, wherefore the same shall take effect and be in force from and after its passage.

It was moved that 100 copies of the report be printed.

Which was adopted.

Senator Benz introduced Senate Bill No. 234, entitled:

A bill for an act changing the Second Judicial Circuit of this State, attaching Perry county to the Third Judicial Circuit, and fixing the terms of court in said Second and Third Judicial Circuits, and other matters connected therewith, repealing all laws and parts of laws in conflict with the provisions of this act, and declaring an emergency.

Which was read a first time and referred to the Committee on the Organization of Courts.

Senator Foulke introduced Senate Bill No. 235, entitled:

A bill for an act authorizing Boards of County Commissioners of each county to establish a special prison for female prisoners.

Which was read a first time and referred to the Committee on County and Township Business.



Senator Hoover introduced Senate Bill No. 236, entitled:

A bill for an act fixing commutation of terms of sentence on account of good behavior of persons confined in penitentiaries, and other matters connected therewith.

Which was read a first time and referred to the Committee on Prisons.

Senator Macartney introduced Senate Bill No. 237, entitled:

A bill for an act providing for the transfer and recording of wills in the proper Auditor and Recorder's offices in counties wherein the title of real estate is devised.

Which was read a first time and referred to the Committee on County and Township Business.

Senator Magee introduced Senate Bill No. 238, entitled:

An act to amend section 2 of an act entitled "An act to authorize cities and incorporated towns to construct, maintain and operate water works, issue and sell bonds to pay for such construction, repealing all laws in conflict with this act, and declaring an emergency," approved March 24, 1879. (See section 3266 Revised Statutes 1881.)

Which was read a first time and referred to the Committee on Corporations.

Senator Null introduced Senate Bill No. 239, entitled:

A bill for an act to repeal article three of an act entitled "An act concerning aliens," approved April 16, 1881, being section 2967 of the Revised Statutes.

Which was read a first time and referred to the Committee on Judiciary.

Senator Voyles introduced Senate Bill No. 240, entitled:

An act to amend section 23 of an act entitled "An act concerning elections and the contest thereof," approved April 21, 1881, and providing a penalty for violating the said section.

Which was read a first time and referred to the Committee on Elections.



Senator Bell introduced Senate Bill No. 241, entitled:

A bill for an act to prevent speculation in human lives under the guise of insurance, declaring the taking or soliciting of insurance on the lives of others a felony, and providing a penalty, etc.

Which was read a first time and referred to the Committee on Insurance.

Senator Hilligass introduced Senate Bill No. 242, entitled:

A bill for an act fixing the tenure of city officers, repealing all laws in conflict with, and declaring an emergency.

Which was read a first time and referred to the Committee on Corporations.

Senator Bundy introduced Senate Bill No. 243, entitled:

An act to prevent diseased animals from being led, driven or ridden into any public place, and providing penalties therefor.

Which was read a first time and referred to the Committee on the Judiciary.

Senator Van Vorhis introduced Senate Bill No. 244, entitled:

A bill for an act to legalize certain records in the office of County Recorders.

Which was read a first time and referred to the Committee on Judiciary.

Senator Foulke introduced Senate Bill No. 245, entitled:

A bill for an act concerning the sale of intoxicating liquors.

Which was read a first time and referred to the Committee on Temperance.

On motion the Senate adjourned until 2 P. M., this evening.



## AFTERNOON SESSION.

FEBRUARY 6, 1883.

The Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

Senator Voyles, from the Committee on Judiciary, on Senate Bill No. 78, reported as follows:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 78, introduced by Senator Magee, upon the subject of the selection of a Chief of the Bureau of Statistics, having had said bill under advisement, a majority of said committee have instructed me to return the bill to the Senate with a recommendation that said bill be amended by adding to the bill, after the word "Governor," in line 47, the following words, "The first election of such Chief shall be held upon the taking effect of this act," and when the bill is so amended it should pass.

VOYLES.

Senator Johnston, from the Committee on the Supervision and Inspection of the Journal reported as follows:

MR. PRESIDENT:

We, the Committee on the Supervision and Inspection of the Journal, beg leave to make the following report:

We examined Friday's and Monday's Journal, and find them correct.

COLUMBUS JOHNSTON,  
Acting Chairman.

Senate Bill No. 102 was read a second time, with the report of the committee thereon, which is as follows:

MR. PRESIDENT:

Your Committee on Benevolent Institutions, etc., to whom was referred Senate Bill No. 102, having had the same under consideration, a majority of the committee requests me to re-



turn the bill to the Senate, with instructions that the bill be amended by adding to the title the following:

After the word "amend," in line 1, to-wit, "sections one and four of;" and also amend section "one" of the bill by adding and inserting the following words at the close of said section "one," as it now stands, to-wit: "The first election of trustees under this act shall be had upon the taking effect of this act, and such elected trustees shall immediately succeed the present incumbents on April 1, 1883," and when the bill is so amended that the bill should pass.

JOHNSON.

On motion, the report of the committee was concurred in.

On motion, the bill was ordered engrossed.

Senate Bill No. 50 was read a second time, with the report of the committee thereon.

The question being on the adoption of the minority reports of the committee.

The ayes and nays being demanded by Senators Yancey and Graham, and taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bischowsky, Bundy, Campbell, Fleming, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Overstreet, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Willard and Yancey. Total, 19.

Those voting in the negative were:

Senators Bell, Benz, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, McClure, McIntosh, Null, Rahm, Smith of Jay, and Voyles. Total, 23.

So the minority report was not concurred in.

Senator Richardson stated that he was paired with Senator Youche, and declined to vote.

Senator Ristine stated that he was paired with Senator May, and declined to vote.



Senator Foulke stated that he was paired with Senator McCulloch, and declined to vote.

On motion the majority report of the committee was concurred in, and the bill ordered to be engrossed.

Senate Bill No. 6, being the special order, was taken up, and the question being on the adoption of the substitute offered by Senator Henry.

The ayes and nays were demanded by Senators Benz and Voyles, and taken with the following result:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Bundy, Campbell, Davidson, Fleming, Fletcher, Graham, Henry, Keiser, Lockridge, Macartney, Magee, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White and Yancey. Total, 21.

Those voting in the negative were:

Senators Benz, Compton, Duncan, Ernest, Faulkner, Foulke, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Lindley, Marvin, McClure, McIntosh, Null, Overstreet, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 24.

So the motion was lost.

The question being on substituting the minority for the majority report of the committee.

The ayes and nays being demanded by Senators Benz and Spann, were taken, with the following result:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Bundy, Campbell, Davidson, Fleming, Graham, Henry, Keiser, Lockridge, Magee, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White and Yancey. Total, 19.



Those voting in the negative were:

Senators Benz, Brown, Compton, Duncan, Ernest, Faulkner, Fletcher, Foulke, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Lindley, Macartney, Marvin, McClure, McIntosh, Null, Overstreet, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 27.

So the motion was lost.

The question being on the adoption of the majority report of the committee.

The ayes and nays were demanded by Senators Yancey and Spann, and were taken, and resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Benz, Brown, Compton, Duncan, Ernest, Faulkner, Fletcher, Foulke, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Lockridge, Lindley, Macartney, Magee, Marvin, McClure, McIntosh, Null, Overstreet, Rahm, Richardson, Smith of Jay, Voyles, White and Willard. Total, 31.

Those voting in the negative were:

Senators Bell, Bichowsky, Bundy, Campbell, Davidson, Fleming, Graham, Henry, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis and Yancey. Total, 14.

So the report was concurred in.

Senator Marvin offered the following amendment:

Amend line 3 in section 2; after the word "Supervisor," insert the words "who shall be a freeholder."

MARVIN.

The question being on the motion for its adoption, Senator Willard offered the following amendment to the amendment:

Amend by adding to the amendment the words "or householder."

Senator Willard withdrew his amendment to the amendment.



Senator Spann moved to lay the amendment offered by Senator Marvin on the table.

The ayes and nays being demanded by Senators Van Vorhis and Spann, were taken with the following result:

Those voting in the affirmative were :

Senators Adkinson, Bell, Bichowsky, Bundy, Davidson, Fleming, Graham, Henry, Keiser, Macartney, Magee, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis and Yancey. Total, 17.

Those voting in the negative were :

Senators Benz, Brown, Campbell, Compton, Duncan, Ernest, Faulkner, Fletcher, Foulke, Hill, Hilligass, Hoover, Howard, Johnston, Johnson, Lockridge, Lindley, Marvin, McClure, McIntosh, Null, Overstreet, Rahm, Richardson, Smith of Jay, Voyles, White and Willard. Total, 28.

So the motion was rejected.

The question being on the adoption of the amendment, the ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Marvin and White. Total, 2.

Those voting in the negative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Fleming, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Howard, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, McClure, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, Willard and Yancey. Total, 43.

So the amendment was rejected.



Senator Magee offered the following amendment as an additional section:

I propose the following amendment to Senate Bill No. 6:

SEC. —. Any Supervisor who shall issue to any person or persons a receipt purporting that such person or persons have worked out his road tax, when such person has not worked out such tax, shall be guilty of a misdemeanor, and shall be liable to fine in double the amount of any such amount.

MAGEE.

The amendment was adopted.

Senator Spann moved that the bill be read by sections.

The motion prevailed.

Section 1 was read, when Senator Voyles offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 6, as follows:

Strike out from the words "1884," in section 1, line 6, to the word "each," in line 8 of said section, and insert the following: "And upon the taking effect of this act the Township Trustees in the several townships of this State shall appoint a Supervisor in each road district of his township, who shall hold his office until his successor is chosen and qualified, and the township shall be divided into a proper number of road districts by the Township Trustee.

VOYLES.

Senator Henry offered the following amendment to the amendment, which was accepted by Senator Voyles:

Amend the amendment by adding thereto the following:

But the road districts shall each contain an area of not less than six square miles.

HENRY.



The question being on the motion for the adoption of the amendment offered by Senator Voyles, Senator Spann offered the following as a substitute:

MR. PRESIDENT:

I move to amend section one by adding the following:

This act shall not take effect until the first Monday in April, 1884.

SPANN.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Bundy, Campbell, Davidson, Fleming, Foulke, Graham, Henry, Johnson, Keiser, Lindley, Macartney, Magee, Rahm, Richardson, Ristine, Sayre, Smith of Jay, Spann, Van Vorhis and Yancey. Total, 23.

Those voting in the negative were:

Senators Benz, Brown, Compton, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Johnston, Lockridge, Marvin, McClure, McIntosh, Null, Overstreet, Smith of Jay, Voyles, White and Willard. Total, 22.

Which was adopted.

Senator Henry offered the following amendment:

Insert after the word "treasury," in line 10 of printed bill: "Not exceeding thirty days in any one year."

HENRY.

Which was adopted.

Senator Henry offered the following additional amendment:

I move to amend section 1 by adding thereto the following: "Immediately upon the taking effect of this act the Trustee of each township in this State shall divide his township into suitable road districts, of not less than six square miles in area."

HENRY.

Which was adopted.



Senator Keiser offered the following amendment:

MR. PRESIDENT:

I move to amend section 1 by striking out of line 9 the words "one dollar and a half," and substituting the words "two dollars."

KEISER.

Senator Van Vorhis offered the following amendment to the amendment:

MR. PRESIDENT:

I move to amend the amendment by striking out "two dollars" and inserting "two dollars and fifty cents" in lieu thereof.

The ayes and nays being demanded by Senators Spann and Van Vorhis, were taken with the following result:

Those voting in the affirmative were:

Senators Spann and Van Vorhis. Total, 2.

Those voting in the negative were:

Senators Adkinson, Bell, Benz, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Graham, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, McClure, McIntosh, Null, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Voyles, White, Willard and Yancey. Total, 41.

So the motion was lost.

The question being on the motion for the adoption of the amendment offered by Senator Keiser.

Senator Brown moved the previous question.

Senator Van Vorhis moved to lay the amendment on the table.



Senator Brown raised a point of order, that the motion to lay on the table was not in order when the demand for the previous question was pending.

Which point of order was yielded by Senator Brown, and moved previous question on the motion to lay on the table.

The demand for the previous question was not seconded.

The question being on the motion of Senator Van Vorhis to lay on the table the amendment of Senator Keiser, the motion was withdrawn, and the section was ordered to stand as read.

Section 2 was read.

It was ordered to stand as read.

Section 3 was read.

Senator Henry offered the following amendment:

MR. PRESIDENT:

I move to amend section 3 as follows:

In line 5, of printed bill, strike out the word "annual" and insert in lieu thereof "biennial."

The amendment was adopted

The section was ordered to stand as read.

Section 4 was read.

Senator Van Vorhis offered the following amendment:

MR. PRESIDENT:

I move to amend by striking out section 4.

Which was rejected.

So section 4 was ordered to stand as read.



Section 5 was read.

Senator Hilligass offered the following amendment:

MR. PRESIDENT:

I move to amend section 5, as follows:

Insert in line 2 of the printed bill, after the word "thereof," the following:

"And give a bond with security, to be approved by the Township Trustee, and conditioned for a faithful discharge of his duties, in a sum not less than two hundred dollars, which bond shall be deposited with the Township Trustee."

HILLIGASS.

Senator Van Vorhis moved that the Senate adjourn.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Bell, Faulkner, Fletcher, Graham, Lockridge, Null, Smith of Jay, and Van Vorhis. Total, 8.

Those voting in the negative were:

Senators Adkinson, Benz, Bichowsky, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Henry, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lindley, Macartney, Magee, Marvin, McClure, McIntosh, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Voyles, White and Willard. Total, 30.

So the motion was lost.

The question being on the motion to adopt the amendment offered by Senator Hilligass, it was adopted.

Senator Graham offered the following amendment to Section 5:

MR. PRESIDENT:

I move to amend Section 5 by adding to it the following: *Provided*, That if any person elected or appointed Supervisor



shall be unable to give such bond, such inability shall be a defense to the collection of the forfeiture provided in section 4, and Township Trustee shall appoint some one else in his place as Supervisor. GRAHAM.

Which was adopted.

Senator Graham moved that the Senate adjourn.

Which was adopted.

THOMAS HANNA,  
President of the Senate.



## WEDNESDAY MORNING.

FEBRUARY 7, 1883.

Senate met at 10 o'clock, Lieutenant Governor Hanna in the Chair.

The reading of the Journal was being proceeded with, when on motion of Senator Henry, the further reading of the minutes was dispensed with.

Senator Henry, by unanimous consent, introduced Senate Bill No. 246, entitled:

A bill for an act to amend section 10, of an act entitled "An act concerning drainage," approved April 8, 1881, and declaring an emergency.

Which was read a first time and referred to the Committee on Canals and Swamp Lands.

Senator Campbell was given unanimous consent to introduce Senate Bill No. 247, entitled:

A bill to provide for the more profitable and equitable hiring of convicts in the State Prisons of this State, and to amend section 10 of an act entitled "An act to provide for the government and discipline of the State Prisons, and to repeal an act to provide for the government and discipline of the State Prisons, approved March 3, 1855, and all other laws or parts inconsistent herewith," approved February 5, 1857, being section 6138 of the Revised Statutes of 1881, repealing all laws inconsistent therewith, and declaring an emergency.

Which was read a first time, and referred to the Committee on Prisons.

Senator Spann was given unanimous consent to introduce Senate Bill No. 248, entitled:

A bill to provide for the calling of a convention of the people of the State of Indiana, to revise, amend or alter the Con-



stitution of said State, or to make a new Constitution for said State, and to provide for submitting said new Constitution to a vote of the qualified voters of the State of Indiana.

Which was read a first time, and referred to the Committee on Judiciary.

On motion of Senator Spann 150 copies of said bill were ordered printed.

The President presented the following communication.

WHEREAS, A bill has been introduced in the House of Representatives of this State, by a member of the Marion county delegation, providing for a Metropolitan Police system for the city of Indianapolis, said bill provides for a very large increase over the amount now paid by the city for its Police Department, amounting to \$38,000 per annum in excess of the amount now paid by the city of Indianapolis.

WHEREAS, The Constitution of the State, section 220 of the Revised Statutes, by its provisions limits the city from ever becoming indebted in any manner, or for any purpose, to an amount in the aggregate exceeding two (2) per centum on the value of its taxable property; the indebtedness of the city is now more than two (2) per cent. of her taxables, therefore, with the Constitutional provision, and the law of 1877, we, as a Council, can not, in any manner, increase the debt of the city, or make proper levy to maintain said police system.

WHEREAS, The city of Indianapolis is much more in need of legislation providing for a special levy for sinking fund, in order that proper provisions may be made looking to the payment of her debt, as the rate of interest now paid by this city costs the citizens and tax-payers more per annum than the entire cost of the Police and Fire Departments of the city.

WHEREAS, A committee of the Council, with a like committee from the Board of Aldermen, have reported to the Council that the City Hospital, now in use, is totally unfit for hospital purposes, and that the foundation, roof, weather-boarding and floors are old and decaying, and that said building should be torn down; that said buildings are unfit to furnish protection to the sick, from rain and cold, and provision must be made for the erection of a new City Hospital.



WHEREAS, The citizens and taxpayers are now demanding of the city government that the streets be kept in proper repair, and when once they make the streets, by ordinance, that it then becomes the duty of the city to keep said streets in a good and safe condition; and, in order to do this, expenses in the Police Department must not be increased.

WHEREAS, Petitions have been presented, asking the city to erect a Market House and City Hall, and other improvements are also demanded of the city, providing for a Work House and the purchase of burial grounds, said improvements have not or can not be made, owing to the limited amount of revenue derived from taxation, after the annual interest is paid, therefore, be it

*Resolved by the Common Council of the City of Indianapolis:* That we most respectfully ask the Legislature not to pass the law providing for a Metropolitan Police system, creating an increase of the present force; and that, if said bill is passed, that the Legislature provide in said bill for the State to make provision for the payment of said Metropolitan system; and that the City Clerk be and is hereby directed to prepare and hand to the President of the Senate and Speaker of the House of Representatives, each, a copy of this preamble and resolution, with the request that they present the same to their respective Houses.

The foregoing preamble and resolution is a true copy of the one adopted by the Common Council of the city of Indianapolis, at its session held in the Council Chamber, in said city, on Monday evening, February 5, 1883.

Witness my hand and the seal of the city of Indianapolis, this 6th day of February, 1883.

Attest:

D. W. GRUBBS,  
Mayor.

[L. s.] JOS. T. MAGNER,  
City Clerk.

Which was read and referred to the Committee on Corporations.



Senator Smith of Jay, from the Committee on Phraseology on Senate Bill No. 102, reported as follows:

MR. PRESIDENT:

Your committee, to whom was referred Engrossed Bill No. 102, have had the same under consideration, and a majority of the committee have directed me to return the bill, with the recommendation to strike out the word "of" in section 2 line 23, and insert in lieu thereof the word "for."

SMITH.

The report was adopted by the Senate.

Senator Willard, from the same committee, on Senate Bill No. 50, reported as follows:

Your committee to whom was referred Senate Bill No. 50, report that the same is correctly engrossed.

WILLARD.

The report was adopted.

The following message was received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Bill No. 27, entitled: "A bill making appropriations for the completion of the construction and furnishing of the Department for Women of the Indiana Hospital for the Insane," etc., and declaring an emergency, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,

Principal Clerk of the House.

Senate Bill No. 6, having been under consideration when the Senate adjourned yesterday afternoon, was called for, and the point of order was raised by Senator Bundy that the regular order of business should take precedence over Senate Bill No. 6, that being an unfinished business of yesterday, and not a special order for to-day.

The point was sustained by the Chair.



Senator Foulke, from the Committee on Phraseology, reported as follows on Senate Bill No. 62:

**MR. PRESIDENT:**

Your Committee on Phraseology recommend that Senate Bill No. 62 be amended by inserting the words "liability for" before the word "damages" in section 5, line 4.

**FOULKE.**

The report was adopted.

Engrossed Senate Bill No. 48 was taken up and read a third time.

The question being, Shall the bill pass?

Senator Van Vorhis moved that further consideration of the bill be postponed indefinitely.

The ayes and nays being demanded by Senators Foulke and Spann, were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Davidson, Hill and Van Vorhis. Total, 3.

Those voting in the negative were:

Senators Adkinson, Benz, Bichowsky, Bundy, Compton, Duncan, Ernest, Faulkner, Fleming, Foulke, Henry, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lindley, Macartney, Magee, Marvin, McClure, McIntosh, Null, Richardson, Kistine, Smith of Delaware, Smith of Jay, Spann, White, Willard and Yancey. Total, 33.

So the motion to postpone indefinitely was rejected.

Senator Foulke made the following motions:

I move to amend section 2 of Senate Bill No. 48, by striking out the words "together with the cash value of all the culverts and bridges belonging to the same, near the end of said section;" also, the words "culverts and bridges," at the end of



said section. Also, I move to amend Bill No. 48 by striking out the words "*Provided, That the finding of the Court shall be final,*" at the end of section 8.

FOULKE.

Which were rejected.

The question being, Shall the bill pass?

The ayes and nays were demanded and taken with the following result:

Those voting in the affirmative were:

Senators Benz, Compton, Ernest, Foulke, Hilligass, Hoover, Howard, Hutchinson, Johnston, Keiser, Lindley, McIntosh, Null, Rahm, Richardson, Ristine, Smith of Jay, Spann, Voyles, Willard and Yancey. Total, 21.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Davidson, Duncan, Fleming, Henry, Hill, Johnson, Macartney, Magee, McClure, Smith of Delaware, Van Vorhis and White. Total, 18.

So the bill failed for want of a constitutional majority.

• Senator Spann moved that the Senate do now adjourn.

Which was rejected.

Engrossed Senate Bill No. 67 was read a third time.

Senator Van Vorhis moved that the Senate adjourn.

Which was rejected.

The question being, Shall the bill pass?

The ayes and nays being taken resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Foulke, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lindley, Macartney, Magee, McClure, McIntosh,



**Null, Rahm, Richardson, Ristine, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, White and Yancey. Total, 35.**

**Those voting in the negative were :**

**Senators Marvin, Voyles and Willard. Total, 3.**

**So the bill passed.**

**The title was adopted as read.**

**On motion of Senator Voyles the Senate adjourned.**



## AFTERNOON SESSION.

FEBRUARY 7, 1883.

Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

Engrossed Senate Bill No. 91 was read a third time.

Senator Bell moved that further consideration of said bill be postponed and made a special order for 11 o'clock Friday morning next.

Which was adopted.

Engrossed Senate Bill No. 62 was taken up and read a third time.

The question being, Shall the bill pass?

The ayes and nays being taken, resulted as follows:

Those voting in the affirmative were:

Senators Bichowsky, Bundy, Campbell, Davidson, Fleming, Fletcher, Henry, Hoover, Hutchinson, Johnson, Magee, Marvin, Null, Overstreet, Rahm, Richardson, Sayre, Smith of Delaware, Spann, Van Vorhis, White and Yancey. Total, 22.

Those voting in the negative were:

Senators Adkinson, Compton, Ernest, Faulkner, Hill, Hilligass, Howard, Johnston, Macartney, McClure, McIntosh and Voyles. Total, 12.

So the bill failed to pass for want of a constitutional majority.

Senate Bill No. 134 was read a third time.

The question being, Shall the bill pass?



The ayes and nays were taken, with the following result:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Campbell, Compton, Davidson, Ernest, Faulkner, Fleming, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lindley, Magee, Marvin, McClure, McIntosh, Null, Rahm, Richardson, Smith of Delaware, Voyles, White and Yancey. Total, 26.

Those voting in the negative were:

Senators Brown, Bundy, Foulke, Graham, Henry, Macartney, Spann, Van Vorhis and Willard. Total, 10.

So the bill passed.

The title was adopted as read.

Senate Bill No. 50 was taken up.

Senator Hutchinson moved that it be made a special order for Friday next, at 11:30 o'clock A. M.

Which was adopted,

Engrossed Senate Bill No. 102 was read a third time.

Senator Brown moved to make this bill a special order for Friday next, at 10:45 o'clock A. M.

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Howard, Johnston, Johnson, Magee, Marvin, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 25.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macart-



ney, Sayre, Smith of Delaware, Spann, Van Vorhis, White and Yancey. Total, 18.

So the motion was held to be lost for want of a two-thirds majority.

The question being, Shall the bill pass?

Senator Spann moved the previous question.

The ayes and nays were demanded by Senators Henry and White, and were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Foulke, Graham, Howard, Hutchinson, Johnston, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, McClure, McCulloch, Null, Overstreet, Rahm, Richardson, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White and Yancey. Total, 36.

Those voting in the negative were:

Senators Bundy, Faulkner, Hill, Hilligass, Hoover, Johnson, McIntosh, Smith of Jay, and Willard. Total, 9.

So the motion for the previous question was seconded.

On the question, Shall the main question be put?

It was so ordered.

On the question, Shall the bill pass?

The ayes and nays were taken, with the following result:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, McClure, McCulloch, McIntosh, Null, Rahm, Smith of Jay, Voyles and Willard. Total, 26.



Those voting in the negative were :

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Overstreet, Sayre, Smith of Delaware, Spann, Van Vorhis, White and Yancey. Total, 19.

So the bill passed.

Senator Brown moved that the vote be called over for verification.

It was ordered, and verified.

Senator Richardson stated that he was paired with Senator Youche, and declined to vote.

The title was adopted as read.

Senator Brown moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Faulkner, Fletcher, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Magee, Marvin, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 25.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lindley, Macartney, Overstreet, Spann, Van Vorhis, White and Yancey. Total, 16.

So the motion to reconsider the vote and lay that motion on the table was adopted.

House Bill No 27 was read a first time.

Senator Marvin moved that the constitutional rules be suspended, the bill read a second time by title, a third time by sections, and placed upon its passage.



The question being, Shall the constitutional rules be suspended?

The ayes and nays were taken, as follows:

Those voting in the affirmative were:

Senators Brown, Campbell, Compton, Davidson, Duncan, Fleming, Fletcher, Henry, Hill, Hilligass, Hoover, Hutchinson, Johnston, Keiser, Magee, Marvin, McClure, McIntosh, Null, Rahm, Richardson, Smith of Delaware, Smith of Jay, Voyles and White. Total, 25.

Those voting in the negative were:

Senators Adkinson, Benz, Bichowsky, Bundy, Faulkner, Graham, Howard, Johnson, Lindley, Macartney, Spann, Van Vorhis, Willard and Yancey. Total, 15.

So the motion was rejected.

Senator Marvin moved that the bill be referred to the Committee on Benevolent Institutions.

Senator Henry moved to amend, that it be referred to the Committee on Finance.

The motion on the adoption of the amendment was lost.

Senator Marvin's motion was adopted.

So it was referred to the Committee on Benevolent Institutions.

House Bill No. 231 was read a first time.

Senator McClure moved that the bill be referred to the Committee on Organization of Courts, accompanied by the following memorial:

MR. PRESIDENT:

Refer House Bill No. 231 to Committee on Organization of Courts, with the following instructions, viz.:

Strike out "December," in section 1, line 12, and insert "January." Also, strike out the emergency clause.

McCLURE.

The motion was adopted.



## HOUSE BILLS ON SECOND READING.

House Bill No. 212 was read a second time, with the report of the committee thereon, as follows:

MR. PRESIDENT:

Your Committee on Organization of Courts, to whom was referred House Bill No. 212, having duly considered the same, beg leave to report said bill back to the Senate with a recommendation that it should pass.

Respectfully submitted,

I. N. COMPTON,  
Chairman.

The report of the committee was concurred in.

Senate Bill No. 6 was taken up at section 5.

Senator Henry moved that section 5 be adopted as amended.

It was so ordered.

Section 6 was read.

Senator White offered the following amendment:

MR. PRESIDENT:

I move to insert "ten" instead of "eight," after "district," in line 6, section 6.

WHITE.

Which was adopted.

Senator Magee offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 6, as follows:

To strike out the words, "and under fifty years," in line three, section six.

MAGEE.



Senator Smith, of Jay, offered the following amendment to the amendment of Senator Magee :

I move to amend the amendment by inserting, "under sixty years of age."

The question being on the adoption of the amendment to the amendment :

The ayes and nays being demanded by Senators Benz and McIntosh, were taken and resulted as follows :

Those voting in the affirmative were :

Senators Henry, Hoover, Macartney, Magee, Smith of Jay, and Yancey. Total, 6.

Those voting in the negative were :

Senators Adkinson, Benz, Bichowsky, Brown, Campbell, Compton, Davidson, Duncan, Faulkner, Fleming, Graham, Hill, Hilligass, Howard, Johnston, Johnson, Lindley, Marvin, McClure, McIntosh, Null, Rahm, Richardson, Smith of Delaware, Spann, Van Vorhis, White and Willard. Total, 28.

So the amendment to the amendment was rejected.

The motion for the adoption of the amendment of Senator Magee was rejected.

Senator Hilligass offered the following amendment to section 6 :

Amend section 6 by striking out all after the word "Act," in line 9 of the printed bill.

Which was adopted.

The section as amended was adopted.

Section 7 was read.

Senator Henry offered the following amendment :

MR. PRESIDENT :

I move to amend section 7 as follows :



Insert in line 2, after the word "ox," the word "mule," and after the word "plow," in line 2, the words road scraper, road scoop."

HENRY.

Which was adopted.

The section was adopted as amended.

Senator Bundy offered the following amendment to section 2:

MR. PRESIDENT:

I move to amend section 2 of Senate Bill No. 6, by adding thereto the following words: "And shall not vote for any Supervisor in any other road district than the one in which the voter resides; and any person who shall violate the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined in any sum not exceeding ten dollars."

BUNDY.

Which was adopted.

Section 2 was adopted as amended.

Section 8 was read and adopted as read.

Section 9 was read, which was adopted as read.

Section 10 was read.

Senator Van Vorhis offered the following amendment:

MR. PRESIDENT:

I move to amend by inserting after the words "one dollar," the words "fifty cents," in lines 2 and 5 of section 10.

Senator Henry offered the following amendment to the amendment:

MR. PRESIDENT:

I move to amend the amendment by striking out "fifty" and inserting "twenty-five."

HENRY.

Which was adopted.

The amendment as amended was adopted.

Section 10 was adopted as amended.



Section 11 was read.

Senator Van Vorhis offered the following amendment:

I move to amend section 11 by inserting after "one dollar" wherever it occurs the words "and twenty-five cents."

Which was adopted.

The section was adopted as read.

Section 12 was read.

Senator Henry offered the following amendment:

MR. PRESIDENT:

I move to strike out section 12.

HENRY.

Which was rejected.

Senator Willard offered the following amendment:

Amend section 12 by adding "hours each day" after the word "ten," in line 3.

Which was adopted.

Section 12 was adopted as amended.

Section 13 was read.

Senator Henry offered the following amendment:

Amend section 13 by inserting "twenty-five cents" after the word "dollar," in line 3.

HENRY.

Which was adopted.

Said section was adopted as amended.

Section 14 was read.

Which was adopted as read.

Section 15 was read.

Senator Henry offered the following amendment:



Amend section 15 by inserting the words "similar extra" after the word "subsequent," in line 7.

HENRY.

Which was adopted.

The section was adopted as amended.

Senator Van Vorhis offered the following amendment to section 13:

MR. PRESIDENT:

I move to amend section 13 by striking out all after the word "shall," in line 4, and after the word "credit," in line 5, and insert the words, "not be given."

Which was rejected.

Said section was adopted as read.

Section 16 was read.

Senator Adkinson offered the following amendment:

MR. PRESIDENT:

I move to strike out from section 16 of the bill, the following words, commencing with the word "unless," in line 12, and ending with the word "amount," in line 13, the words to be stricken out being as follows: "Unless he should deem them unreasonable, in which case he may reduce the amount."

ADKINSON,  
Of Miami.

Senator Howard offered the following as a substitute to the amendment by Senator Adkinson:

Amend section 16 by adding the following:

Appeal may be had to the Circuit Court upon all questions of damage arising under the operation of the foregoing section. *Provided*, That any person aggrieved by an assessment of damages under this section shall, upon ten days notice, to be given



in writing to the Supervisor, have an appeal to the Circuit Court, where the question shall be determined as other issues are determined under the rules of practice now governing appeals from Justices of the Peace.

HOWARD.

Senator Adkinson raised the point of order that the substitute is not germain to an amendment.

The point of order was sustained.

Senator Van Vorhis moved that the section be referred to a committee of two, consisting of Senators Magee and Benz, to put it in shape.

Which was adopted.

Senator Yancey moved that the Senate adjourn.

Which was rejected.

Senator Magee moved that when the Senate adjourn it be to meet to-morrow at 9 o'clock.

Senator Henry moved to amend the motion by striking out "9 o'clock" and inserting "10 o'clock."

Senator McIntosh raised the point of order that this, if adopted, would not change existing rule.

The Chair sustained the point of order.

Senator Bundy moved to insert the words "9:30 o'clock."

Senator Henry moved as a substitute "9:55 o'clock" as a time for the Senate to meet.

Senator Graham moved to lay the whole subject on the table.

Which was adopted.

Senator Henry moved that the Senate adjourn.

The ayes and nays being demanded and taken, resulted as follows:



Those voting in the affirmative were:

Senators Campbell, Davidson, Faulkner, Fleming, Graham, Henry, Hutchinson, Lindley, Marvin, Smith of Delaware, Smith of Jay, Spann, Van Vorhis and Yancey. Total, 15.

Those voting in the negative were:

Senators Adkinson, Benz, Bichowsky, Bundy, Compton, Duncan, Hill, Hilligass, Hoover, Johnston, Johnson, Keiser, Macartney, Magee, McClure, McIntosh, Rahm, Richardson and White. Total, 19.

So the motion was lost.

The following was read from Senators Rahm and Johnson:

MR. PRESIDENT:

The Committees on Finance and Education beg leave of absence for to-morrow, Thursday, February 8th, for the purpose of visiting the State Normal School, at Terre Haute.

WM. RAHM, JR.,  
Chairman Committee on Finance.

FRANCIS M. JOHNSON,  
Chairman Committee on Education.

Which leave of absence was granted.

Senator Graham moved that the Senate adjourn.

The motion prevailed.

THOMAS HANNA,  
President of the Senate.



## THURSDAY MORNING.

FEBRUARY 8, 1883.

Senate met at 10 o'clock, Lieutenant Governor Hanna in the Chair.

The reading of the Journal was being proceeded with, when on motion of Senator Hutchinson the further reading of the minutes was dispensed with.

Senator Yancey presented a petition signed by A. M. Hargrove, J. W. Carter, and 186 other citizens of Hancock county, praying that the Board of Health laws be not disturbed.

Which was referred to the Committee on Public Health, etc., without reading.

Senator Smith presented a petition on the same subject signed by William Freeman, D. S. Kinsey and twenty-nine others.

Which was referred to the Committee on Public Health, etc., without reading.

Senator Overstreet presented a petition on same subject signed by J. H. Donnell, M. D., Lyman E. Ott, M. D., and eight other physicians of Franklin, Johnson county.

Which was referred to the Committee on Public Health without reading.

Senator Henry presented a petition from the Commissioners of Madison county, praying the repeal of the act creating the Board of Health law.

Which was referred to the Committee on Public Health, etc., without reading.

Senator Fleming presented a petition signed by B. L. Petro, M. D., J. N. Sprang, M. D., and thirty-five other citizens of



Fountain county, praying that the Board of Health laws be not disturbed.

Which was referred to the Board of Health, etc., Committee, without reading.

Senator Keiser presented a petition on the subject of prison labor, signed by Theo. S. Gorham, D. Hampton, and fifty-four other citizens.

Which was referred to the Select Committee on Prison Labor, without reading.

Senator Johnson presented three petitions from the citizens of Lawrence county on the same subject.

Which were also referred to the same committee, without reading.

Senator Graham, from the Committee on Judiciary, on Senate Bill No. 108, reported as follows:

MR. PRESIDENT:

A majority of the Committee on Judiciary, to which was referred Senate Bill No. 108, having had the same under consideration, do recommend that said bill be amended by striking out all after the enacting clause thereof, and insert in lieu thereof the following:

SECTION 1. That it shall be and is hereby made the duty of every keeper, proprietor or lessee of any building, more than two stories in height, used as a hotel, boarding house, or public lodging house, to keep in all rooms above the first floor of any such building, and in a convenient and conspicuous place, good and sufficient facilities for escape from the outside windows of such rooms to the ground, in case of fire in such building.

SEC. 2. It is hereby made the duty of the Common Council of all cities, and the Board of Trustees of all incorporated towns in this State, immediately after the passage of this act, to prescribe the means of escape that shall be provided by the persons, and in the buildings mentioned in the first section of



this act, and to forthwith notify all proprietors, keepers or lessees of any of the buildings herein mentioned in their respective cities or towns, of the means of escape to be provided by them.

SEC. 3. If, after the expiration of ten days from the time of receiving the notice provided for in the second section of this act, any person being the proprietor, keeper, or lessee of any building over two stories in height, used for a hotel, boarding house, or public lodging house, shall fail or neglect to provide means of escape from such building to the ground, in accordance with the direction of the Common Council or Board of Trustees, as in this act provided, such person shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in the sum of twenty-five dollars for every day such person shall so fail or neglect to provide such means of escape.

SEC. 4. Whereas, an emergency exists for the immediate taking effect of this act, therefore the same shall be in force from and after its passage.

And when so amended the committee recommend that the bill do pass.

Senator Null, from the Committee on Prisons, on Senate Bill No. 153, made the following report:

MR. PRESIDENT:

Your Committee on Prisons having under consideration Senate Bill No. 153, introduced by Senator Fletcher, of Marion county, in reference to a change in the system of Directors of Prisons, beg leave to report said bill back to the Senate, recommending that it lie on the table.

Respectfully,

JOHN BENZ,  
Chairman.

Per L. S. NULL.



Senator Benz, from the same committee, on Senate Bill No. 17, made the following report:

INDIANAPOLIS, IND., February 7, 1883.

MR. PRESIDENT:

Your Committee on Prisons having under consideration Senate Bill No. 17, concerning sewerage from the State Prison North, through a portion of Michigan City, would recommend that said bill do pass.

Respectfully,

JOHN BENZ,  
Chairman.

Senator Benz, from the same committee, on Senate Bill No. 236, reported as follows:

MR. PRESIDENT:

Your Committee on Prisons, having under consideration Senate Bill No. 236, recommend that said bill be amended by inserting after the word "Indiana," in line 4 of section 1, the words "or in the Indiana Reformatory for Women and Girls," and after being so amended, that the bill do pass.

JOHN BENZ,  
Chairman.

Senator Yancey, from the Committee on Public Health, on Senate Bill No. 27, reported as follows:

MR. PRESIDENT:

Your Committee on Public Health, Vital and other Statistics, having under consideration Senate Bill No. 27, would respectfully refer the same back, recommending that it do pass.

McCLURE,  
Chairman.

Senator Null, from the Committee on Corporations, on Senate Bill No. 168, reported as follows:

MR. PRESIDENT:

Your Committee on Corporations, to whom was referred Senate Bill No. 168, report that they have had the same under



consideration, and a majority of your committee recommend that said bill do pass.

NULL.

Senator Hutchinson, from the Committee on Corporations, on Senate Bill No. 116, reported as follows:

MR. PRESIDENT:

Your Committee on Corporations, to whom was referred Senate Bill No. 116, report that they have had the same under consideration, and a majority of your committee recommend that said bill do pass.

W. B. HUTCHINSON.

Senator Magee, from the same committee, on Senate Bill No. 208, reported as follows:

MR. PRESIDENT:

Your Committee on Corporations, to whom was referred Senate Bill No. 208, report that they have had the same under consideration, and a majority of your committee recommend that it do pass.

MAGEE,  
Chairman.

Senator Magee, from the same committee, on Senate Bill No. 217, reported as follows:

MR. PRESIDENT:

Your Committee on Corporations, to whom was referred Senate Bill No. 217, report that they have had the same under consideration, and a majority of the committee recommend that it do pass.

MAGEE,  
Chairman.



Senator Graham presented the following memorial, by request:

*To the Honorable the Senate and House of Representatives of the State of Indiana:*

GENTLEMEN—Your petitioners, the undersigned, would respectfully show that they are citizens of the State of Indiana, and are owners of property occupied by them respectively as places of residence, at and near the corners of Fourth street and Chandler avenue, in the city of Evansville, at which place the Evansville Brush Electric Light and Power Company is proceeding to erect a great iron tower 250 feet high, claiming authority therefor under a pretended contract with the city of Evansville, by which said company is to erect said tower, together with five other like towers, for the purpose of lighting said city with electric light, said towers to remain the private property of said company. Said company has entered upon and taken possession of the property of some of your petitioners without their consent, and against their protest, and are proceeding to erect said tower, greatly to their damage and to the injury of their property, and, as they verily believe, in violation of their legal rights. That said tower will be a menace to the lives and property of your petitioners, as it will be in constant danger of being blown down, on account of its great weight and height and the method of its construction.

For the purpose of testing the right of said company to construct said tower, one of your petitioners, William Blackburn, brought his suit against said company, which suit is now pending in the Supreme Court of the State. Your petitioners are advised that said company has taken steps to procure an act of the General Assembly to legalize and give validity, as far as may be possible, to its proceedings in the erection of said tower, and thus to forestall the action of the Court in the above-mentioned cause, and to prevent any other of your petitioners from having said tower declared a nuisance, or from having any other remedy for their wrongs and injuries to which they may now be entitled.

Wherefore, they most earnestly request that no bill shall be allowed to become a law which can in any way affect questions of private rights which are now the subject of judicial inquiry,



or any rights of action which any of your petitioners now have against said Electric Light Company, or may hereafter have by reason of the construction of said iron tower, or by reason of any acts done by said company under said alleged contract.

WILLIAM BLACKBURN,  
J. E. IGLEHART,  
J. W. KNIGHT,  
C. C. ROESER,  
WILLIAM GRANGE,  
C. C. GENUNG,  
WILLIAM STARTEN,  
GEORGE P. HEILMAN,  
MRS. A. DAVIDSON,  
W. T. IGLEHART,  
T. SALERTON,  
GEORGE LANTS,  
HIRAM M. LINDLEY,  
P. FRICK.

Which was read, and on motion laid on the table.

Senator Compton, from the Committee on Organization of Courts, on Senate Bill No. 196, reported as follows:

MR. PRESIDENT :

Your Committee on Organization of Courts, to whom was referred Senate Bill No. 196, having duly considered the same, beg leave to report said bill back to the Senate, with a recommendation that it should pass.

Respectfully submitted,

I. M. COMPTON,  
Chairman.

Senator Faulkner, by request, introduced Senate Bill, No. 249, entitled :

A bill for an act to prevent and punish the adulteration of articles of food, drink and medicine, and the sale thereof, when adulterated.

Which was read a first time and referred to the Committee on Public Health.



Senator Bell, by request, introduced Senate Bill No. 250, entitled:

A bill for an act establishing provisions respecting private corporations.

Which was read a first time and referred to the Committee on Corporations.

Senator Hilligass introduced Senate Bill No 251, entitled:

An act to amend sections 2, 3, 4, 5, 6, 8, 9 and 10 of an act entitled "An act concerning drainage," approved April 8, 1881, and declaring an emergency, the same being sections 4274, 4275, 4276, 4277, 4278, 4280, 4281 and 4282 of the Revised Statutes of 1881.

Senator Adkinson introduced Senate Bill No. 252, entitled:

An act to amend section 67 of an act entitled "An act concerning Criminal Courts," approved April 12, 1881, and section 1640 of the code.

Which was read a first time, and referred to the Committee on Judiciary.

Senator McClure, by request, introduced Senate Bill No. 253, entitled:

A bill for an act to amend sections 8, 29, 71 and 87 of an act entitled "An act dividing the State into counties, defining their boundaries, and defining the jurisdiction of such as border on the Ohio and Wabash rivers," approved June 7, 1852.

Which was read a first time, and referred to the Committee on County and Township Business.

Senator Keiser moved to take up Senate Bill No. 207, suspend the Constitutional Rules, to read the bill a second time by title, consider it engrossed, and to read it a third time by sections, and place it upon its passage.

The ayes and nays being taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Brown, Compton, Duncan,



Ernest, Fleming, Fletcher, Foulke, Graham, Hilligass, Hoover, Howard, Hutchinson, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, McClure, McCulloch, McIntosh, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Yancey and Youche. Total, 33.

Those voting in the negative were:

Senators Faulkner, Null and Willard. Total, 3.

So the motion failed.

Senator Ristine introduced Senate Bill No. 254, entitled:

An act authorizing Boards of County Commissioners to construct gravel, macadamized or paved roads, on county lines, authorizing them to issue bonds of the county to raise money required for that purpose, and providing for the payment of such bonds by taxing the land adjoining the road, and declaring an emergency.

Which was read a first time and referred to the Committee on Roads.

Senator Johnson, by request, introduced Senate Bill No. 255, entitled:

A bill for an act to provide for the incorporation of Orphan Asylums and Asylums for Indigent Females, defining their rights, powers and duties, and authorizing the granting of county aid thereto.

Which was read a first time and referred to the Committee on Benevolent and Reformatory Institutions.

Senator Willard introduced Senate Bill No. 256, entitled:

A bill for an act fixing the liability of railroads and other corporations for injuries to their employes.

Which was read a first time and referred to the Committee on Federal Relations (Rights and Privileges).



Senator Graham, by request, introduced Senate Bill No. 257, entitled :

A bill to provide for the care and custody of orphans and abandoned children, and matters connected therewith.

Which was read a first time and referred to the Committee on Benevolent and Reformatory Institutions.

Senator Hoover introduced Senate Bill No. 258, entitled :

An act empowering Boards of Trustees of incorporated towns to compel owners of lots to repair sidewalks, to provide how the costs and expense and damages incurred are to be refunded to such town, and declaring an emergency.

Which was read a first time and referred to the Committee on Corporations.

Senator Keiser introduced Senate Bill No. 259, entitled :

A bill for an act to amend section 210 of an act entitled "An act concerning taxation," approved March 29, 1881.

Which was read a first time, and referred to the Committee on the Judiciary.

Senator Ristine introduced Senate Bill No. 260, entitled :

A bill for an act to legalize the incorporation of the town of Darlington, in Montgomery county, Indiana, the election and qualification of its Board of Trustees and other officers, and all the acts, orders, ordinances, by-laws and resolutions of the Board of Trustees of said town, together with the acts of said board in relation to the assessment of taxes for the year 1882, and declaring an emergency.

Which was read a first time and referred to the Committee on County and Township Business.

Senator Van Vorhis introduced Senate Bill No. 261, entitled :

A bill for an act authorizing cities to condemn and fill up mill races in certain cases.

Which was read a first time, and referred to the Committee on the Judiciary.



The following message was received from the House by the hand of the Principal Clerk thereof:

On House Concurrent Resolution No. 8:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Concurrent Resolution No. 8, in relation to extra pay to promoted volunteer officers, and other matters connected therewith, and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk of the House.

Senator Van Vorhis moved that the resolution be adopted. It was so ordered.

Senate Bill No. 6 was taken up and section 17 was read.

Senator Voyles offered the following amendment:

I move to amend section 17 by striking out the word "plantation," in line 1, and insert the following words, "tract of real estate," and insert the same words in place of the word "plantation" wherever the same occurs in said section.

VOYLES.

Which was adopted.

The section was adopted as amended and read.

Section 18 was read.

It was adopted as read.

Section 19 was read.

It was adopted as read.

Section 20 was read.

Senator Hilligass offered the following amendment:

Amend section 20, in line 2 of printed bill, by striking out the words "less than twenty-five," and insert in lieu thereof the words "more than forty."

W. J. HILLIGASS.

Which was adopted.



Senator Macartney offered the following amendment:

MR. PRESIDENT:

I move to amend section 20 of Senate Bill No. 6 by adding thereto the following words:

No Supervisor shall issue a receipt for work performed by himself, directly or indirectly, except for his own road tax, and no County Treasurer shall receive the certificate of any Supervisor except in payment of the tax on which the work shall be performed, and only from the person owing such tax, or his agent. All certificates received by the County Treasurer shall, upon the semi-annual settlements, be passed over to the proper Township Trustees, in payment of the distributive share of road tax collected and due such townships.

MACARTNEY.

Senator Willard offered the following amendment to the amendment:

Amend by adding after the word "agent," the words "or assignee."

WILLARD.

Which was accepted.

And the amendment as amended was adopted.

Senator Hilligass offered the following amendment:

Amend section 20, line 8, by inserting the words, "and 25 cents," after the word "dollar."

HILLIGASS.

Which was adopted.

Senator Voyles offered the following amendment:

Strike out the word "bill," in line 5, and substitute the word "act."

VOYLES.

Which was adopted.

Senator Sayre offered the following amendment:

I move to amend by adding the following:

"Provided, further, that said road tax shall not be assessed against the property of any incorporated town or city."

SAYRE.

Which was withdrawn.



Senator Johnson offered the following amendment:

MR. PRESIDENT:

I move to amend section 20 of Senate Bill No. 6, by adding to it, "If presented during the year in which the labor has been performed, or the year following, upon the performance of said labor."

FRANCIS JOHNSON.

Which was adopted.

Senator Hoover offered the following amendment:

MR. PRESIDENT:

I offer the following amendment to Senate Bill No. 6: Insert the words "between the months of April and October," after the word "lies," in line 7, section 20.

HOOVER.

Which was withdrawn.

Section 20 was adopted as amended and read.

Senator Henry offered the following amendment to section 18:

MR. PRESIDENT:

I move to amend section 18 by adding thereto the following: "Under the same regulations for compensation therefor as is provided for in section 16 in this act."

HENRY.

Which was adopted.

Section 21 was read.

Senator Overstreet offered the following amendment:

I move to amend section 21 by inserting after the word "thereof," in line 2, these words: "In the road district where levied."

OVERSTREET.

Senator Henry offered the following substitute for the amendment:

MR. PRESIDENT:

I move the following as a substitute for the amendment:

Strike out in lines 4 and 5 the words "as the highways in



their respective districts may require," and insert in lieu thereof the following: "For work done by them under the direction of the Trustees."

HENRY.

Which was adopted.

Senator Johnson offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 6, by adding to section 21: "The Supervisor of each road district shall be authorized, wherever he deems it necessary to require the owner of lands on the line of a highway to keep open a good ditch running alongside said highway, into which water may be drained both from the land and the highway, and to the maintenance of said ditch part of the road tax of said land owner shall be applied."

FRANCIS JOHNSON.

Which was rejected.

The section was adopted as amended.

The following message was received from the House, by the hands of the Principal Clerk thereof, on Senate Concurrent Resolution No. 7:

SENATE CONCURRENT RESOLUTION.

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Senate Concurrent Resolution No. 7, concerning the appointment of a Committee on Governor's Mansion, and the Speaker has appointed the following committee:

Messrs. Wilson of Marion, Jewett, Frazier, Gilman, Robinson, Pruitt and Beeson, and the same is herewith transmitted to the Senate for action thereon.

S. W. EDWINS,  
Principal Clerk.

The President appointed Senators Fletcher, Bundy, Magee, Lindley and Brown as a committee on the part of the Senate.

Section 22 was read.



Senator Voyles offered the following amendment:

I move to amend section 22 by striking out the word "same," in line 1, and substitute the following words, to-wit: "Work contemplated in the last preceding section of this act." ' "

VOYLES.

Which was adopted.

Section 22 was adopted as amended and read.

Section 23 was read.

Senator Henry moved to amend by striking out section 23 from the bill.

Which was adopted, and the section was ordered to be stricken from the bill.

Section 24 was read.

Senator Van Vorhis moved that the Senate do adjourn.

Which was rejected.

Section 24 was adopted as read.

Section 25 was read.

Section 25 was adopted as read.

Section 26 was read.

Section 26 was adopted as read.

Section 27 was read.

Section 27 was adopted as read.

Section 28 was read.

Section 28 was adopted as read.

Section 29 was read.

Senator Van Vorhis moved that the Senate adjourn.

Which was rejected.



Senator Henry offered the following amendment to section 29:

MR. PRESIDENT:

I move to amend section 29 as follows: Strike out all after the word "Auditor," in line 3, and before the word "all," in line 5, and insert the following: "And such Trustee shall cause the same to be expended, as provided in this act, during the year in which it is received and," and strike out all after the word "year," in line 7.

HENRY.

Which was adopted.

Senator Henry offered the following amendment to section 20:

MR. PRESIDENT:

I move to amend section 20 by inserting in line 4, after the word "township," the words "outside of the incorporate cities and towns."

HENRY.

Which was adopted.

Senator Van Vorhis moved that the Senate do now adjourn.

Which was adopted, and the Senate adjourned.



# AFTERNOON SESSION.

FEBRUARY 8, 1883.

Senate met at 2 o'clock.

Senator Hilligass offered the following amendment to section 24:

Amend section 24 by adding thereto the following:

*“Provided, That in such actions the justice of the peace shall tax as costs in all such cases where judgments are rendered the sum of five dollars as attorney’s fees for plaintiff’s attorney.*

HILLIGASS.

Which was adopted.

Senator Henry offered the following amendment to section 20:

MR. PRESIDENT:

I move to amend section 20, as follows:

In line 9, strike out “Supervisor” and insert “Trustee.”

Also in line 10, strike out the word “his,” and insert the word “Supervisors.”

HENRY.

Which was adopted.

Senator Ristine offered the following as a substitute for section 22:

MR. PRESIDENT:

I offer as a substitute for section 22 the following:

SECTION 22. The Township Trustee may, in his discretion, let out any portion of the work to be done, where the probable cost of the same shall exceed twenty-five dollars, and for this purpose he shall cause plans and specifications to be made out and kept for public inspection, and shall cause notice of the letting of such work to be posted up in five of the most public places in his township, giving time and place of letting such



contracts, together with a brief description of the proposed work, and inviting contractors to submit sealed bids for doing the same. The Trustees shall make and adopt such rules and regulations respecting the manner and time of doing the work, and the payment therefor, as he may deem proper: *Provided*, The Trustee may reject any or all bids for such work, when he shall deem the public interest requires it: *And provided further*, That said Trustee shall not receive or entertain any bid not accompanied by the bond of the bidder, with sufficient freehold sureties, payable to the State of Indiana in a penalty of double the gross amount of his bid, conditioned for the bidder's faithful compliance with the requirements of the plan, and the specifications, and the provisions of this act.

RISTINE.

Senator Willard moved to lay the substitute on the table.

Which was adopted.

Senator Henry moved to reconsider the vote by which the substitute was laid on the table.

It was adopted.

The question being on the adoption of the substitute offered by Senator Ristine.

Senator Willard raised a point of order that the substitute could not be entertained without reconsidering the vote by which the section was adopted.

The point of order was not sustained.

The question being on the adoption of the substitute offered by Senator Ristine.

It was rejected.

Section 30 was read.

Section 30 was adopted as read.

Section 31 was read.

Section 31 was adopted as read.



Section 32 was read.

Section 32 was adopted as read.

Senator Voyles offered the following as an additional section to the bill:

MR. PRESIDENT:

I move to amend Senate Bill No. 6 by adding the following new sections, to be inserted and numbered in a proper place:

SECTION —. For the purposes of working and keeping the streets, alleys and roads within the limits of incorporated towns in repair and good condition, and for raising money and applying the same thereon, the Boards of Trustees of such towns are hereby invested with the same power, and are required to perform similar duties, within their respective towns, as are given by this act to Township Trustees; and Town Marshals are hereby invested with the same power, and are required to perform similar duties as are by this act given to Road Supervisors to be exercised within their respective towns.

SEC. —. All road money or funds heretofore raised, distributed or undistributed, under any law heretofore passed, shall, if unexpended, be turned over to Township Trustees upon the taking effect of this act, and in case of towns, such money shall be turned over to the Town Treasurer, to be expended under the provisions of this act.

SEC. —. Residents of towns and cities subject to road work shall not be subject to the provisions of this act, except so far as the same may require them to work within the corporate limits of their respective towns and cities, and tax levies to be made under the provisions of this act by Township Trustees shall not apply to or affect any property within the corporate limits of any city or town, and any tax levy to be made under this act by the Board of Town Trustees shall not apply to any property outside of such towns. This act shall not affect any existing law which authorizes cities to raise money and make application thereof upon the streets and alleys thereof, and cities shall have the same power and authority over its streets and alleys as if this act had not been passed.

VOYLES.



Senator Bundy offered the following as a substitute:

MR. PRESIDENT:

I move to amend Senate Bill No. 6 by adding thereto the following section:

SECTION 33. The provisions of this act shall not apply to any incorporated town or city in the State.

The question being on the adoption of the substitute to the amendment offered by Senator Voyles.

The ayes and nays being demanded by Senators Bundy and Henry, were taken, with the following result:

Those voting in the affirmative were:

Senators Adkinson, Bundy, Fleming, Fletcher, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Ristine, Sayre, Spann, Yancey and Youche. Total, 15.

Those voting in the negative were:

Senators Benz, Duncan, Ernest, Faulkner, Hilligass, Hoover, Howard, Johnson, Magee, Marvin, McClure, McCulloch, McIntosh, Null, Overstreet, Richardson, Smith of Jay, Van Vorhis, Voyles and Willard. Total, 20.

So the substitute was rejected.

Senator Bundy moved to lay the amendment on the table.

Which motion was rejected.

The question being on the motion for the adoption of Senator Voyles's amendment.

Senator Benz offered the following amendment to the amendment:

Towns and cities of this State may avail themselves of the provisions of this act, and enforce the provisions by the enacting of proper ordinances for that purpose.



Senator Henry offered the following as a substitute to the amendment to the amendment:

MR. PRESIDENT:

I move to amend the third section, as offered in the amendment of the Senator from Washington, as follows:

Strike out all after "except," in line 4, and before the word "require," in line 5, and insert in lieu, "that the respective Boards of Trustees of a town and the Common Council of a city may," and in line 18, after "cities," insert "and towns," and in line 20, after "cities," insert "and towns."

Which was adopted.

The question being on the motion to adopt the amendment of Senator Benz as amended by substitute.

The same was adopted.

Senator Henry offered the following amendment:

MR. PRESIDENT:

I move to amend the bill by adding the following section: Section —. The offices of Township Road Superintendent and Road Master are hereby abolished, and upon the taking effect of this act, such officers shall turn over to the Township Trustee of their respective townships, all money, property, books, and papers in their hands as such officers, and all legal claims and demands created by such Township Road Superintendent shall be paid by the respective Township Trustees out of the first moneys received by them for road purposes.

HENRY.

Which was adopted.

Senator Magee offered the following as a substitute for section —, which was offered by him and adopted day before yesterday:

Any Supervisor who shall issue to any person or persons a receipt or receipts, purporting that such person or persons has paid in cash, or by work, the road tax for which such person or persons are liable, when in fact such payment has not been



made, or such work done, as required by law, such Supervisor shall be deemed guilty of a misdemeanor, and shall be liable to a fine of double the amount of any such receipt, which may be enforced by a proceeding against such Supervisor before any Justice of the Peace of his township, upon the complaint of any citizen of such township, and that an appeal shall lie to the Circuit Court from any decision of such Justice in such cases, under the rules now governing appeals from Justices of the Peace.

Which was adopted.

Senator Duncan offered the following new section:

I move to amend by adding a new section as follows:

SECTION —. Supervisors, Township Trustees and County Treasurers shall give full faith and credit to all outstanding receipts issued to tax-payers on account of road tax worked out under the direction of the Board of County Commissioners or Road Superintendents.

W. C. DUNCAN.

Which was rejected.

Senator Magee offered the following as a new section:

MR. PRESIDENT:

I move to add the following section to Senate Bill No. 6:

SECTION —. All highways hereafter established and laid out in this State shall be of the width of forty feet.

Senator Henry moved the following as a substitute for Senator Magee's new section:

MR. PRESIDENT:

I move to amend as follows—substitute the following:

SECTION —. All highways hereafter established and laid out in this State shall be of a width of not less than forty feet.

HENRY.

Which was accepted and adopted.



Senator Henry offered the following new section:

MR. PRESIDENT:

I move to amend the bill by adding the additional section following:

SEC. —. In determining upon the amount and character of work which shall first be done on any highway, or part thereof, the Township Trustee shall take into consideration its importance to the traveling public, and its convenience to gravel, stone, or other material to be used in its construction; and whenever the citizens interested in the permanent improvement of any highway of public importance shall, by donation, properly ditch, drain, gravel or embank such highways, in such manner as is contemplated in this act, such Trustee shall contribute and perform work thereon equal in value to such donation, if he has the means in his hands to perform such work.

HENRY.

Senator Willard moved to lay the same on the table.

Which motion was rejected.

The question being on the adoption of the new section offered by Senator Henry.

It was adopted.

Senator Sayre offered the following amendment to section 20:

I move to amend section 20, as follows: Strike out all after the line eight, and insert in lieu thereof the following: "It shall be the duty of the County Auditor to make out and deliver, each year, to the proper Township Trustee a list of all road taxes assessed on each individual in his township, and the certificate of the Supervisor of the proper district, for the amount worked out by any taxpayers shall be taken by the Treasurer of the county in payment of so much of said tax."

SAYRE.

Which was adopted.

Section 33 was read.

Section 33 was adopted as read.



Senator Smith, of Jay, moved to reconsider the vote by which the amendment was adopted, fixing width of highways hereafter to be established and laid out at forty feet.

Which was adopted.

The question being on the motion for the adoption of the substitute offered by Senator Henry to Senator Magee's amendment.

The substitute was rejected.

The question being on the motion for the adoption of Senator Magee's amendment.

It was rejected.

Senator Willard, for committee, made the following report on section 16:

Amend by adding to section 16, the following:

*Provided*, That any aggrieved may appeal from the action of appraisers by giving notice, in writing, to the Road Supervisor, to any Justice of the Peace in his township. Such notice must be given within ten days after final action by the appraisers, and such person shall give bond within thirty days after final action by the appraisers. Such bond shall be payable to the Supervisor, and to be approved by the appraisers, and such appeal shall be determined as other questions are determined in civil cases before Justices.

WILLARD.

Which was adopted.

Section 16 was adopted as amended.

Senator Benz offered the following section, being an emergency clause:

MR. PRESIDENT:

I move to add the following additional section:

SECTION —. Whereas, an emergency exists for the immediate taking effect of this act, therefore, the same shall take effect and be in force from and after its passage.

BENZ.



The question being on its adoption.

The ayes and nays were demanded by Senators Willard and Benz, and taken with the following result:

Those voting in the affirmative were:

Senators Bell, Benz, Compton, Duncan, Ernest, Faulkner, Fletcher, Foulke, Henry, Hilligass, Hoover, Howard, Hutchinson, Johnson, Keiser, Marvin, McClure, McIntosh, Null, Voyles, Willard and Youche. Total, 22.

Those voting in the negative were:

Senators Adkinson, Bundy, Fleming, Lockridge, Lindley, Macartney, Magee, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis and Yancey. Total, 16.

So it was adopted.

Senator Sayre offered the following, as an additional section to the bill:

MR. PRESIDENT:

I move to insert the following as a new section:

All roads running on township or county lines are assigned for construction and repairs as follows: Roads running north and south, the north half is assigned to the township on the west side of such lines, and the south half is assigned to the township or townships on the east side of such lines; and roads running east and west, the west half is assigned to the township on the south side of such lines, and the east half is assigned to the township or townships on the north of such lines, and the roads and highways so assigned shall be under the control of and kept in order by the Township Trustee of the township to which they are assigned. All roads running on lines dividing this State from other States shall be worked in conjunction with such other State, and shall be assigned for construction and repairs in the same manner as above provided in cases where roads run on township and county lines.

Which was adopted.



Senator Willard moved that the bill be engrossed.

It was so ordered.

Senator Voyles moved that 150 copies of the bill be printed.

Senator Graham moved to amend by making it 200 copies.

Which was adopted.

Senator Magee moved that when the Senate adjourn it adjourn to meet at 9 o'clock to-morrow morning.

Senator Henry moved to amend by substituting 9:55 o'clock.

Which was adopted.

The question being on the motion as amended.

It was adopted.

Senator Bundy from the special committee of five on Decedents' Estate Act made the following report:

MR. PRESIDENT:

The special committee of five, to whom was referred Senate Bills Nos. 9, 56, 123, 150 and 232, would respectfully report that they have considered the same and report as follows:

They recommend the following bill (Senate Bill No. —,) as a substitute for Senate Bill No. 9, and they recommend that the Senate bills numbered 123, 150 and 160 lie on the table; and they further recommend that Senate Bill No. 232 do pass.

BUNDY,  
Chairman.

A motion was made to adopt the report of the committee.

Which was so ordered.

Senator Bundy introduced Senate Bill No. 262, entitled:

An act to amend sections 5, 47, 66, 86, 94, 95, 96, 97, 98, 100, 101, 102, 104, 105, 153, 157, 158, 159, 160, 164, 165, 168, 169, 176, 180, 183, 208, 241, and to repeal sections 4, 103, 106 and 162, of an act entitled "An act providing for the settlement and dis-



tribution of decedents' estates," approved April 14, 1881, and moved that the constitutional rules be suspended, the bill read a first time by sections, a second time by title and considered engrossed, a third time by sections, and placed upon its passage.

The ayes and nays being taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bundy, Compton, Duncan, Ernest, Fleming, Foulke, Graham, Henry, Hilligass, Hoover, Hutchinson, Johnson, Keiser, Lockridge, Lindley, Magee, Marvin, McClure, McCulloch, McIntosh, Null, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, Yancey and Youche. Total, 34.

Those voting in the negative were:

Senators Benz, Faulkner, Macartney and Willard. Total, 4.

So the motion was adopted, and the rule was suspended.

The bill was being read, when Senator Van Vorhis moved that the further reading of the bill be dispensed with until tomorrow morning.

Which motion was rejected.

On motion of Senator Brown the Senate adjourned.

THOMAS HANNA,

President of the Senate.



## FRIDAY MORNING.

FEBRUARY 9, 1883.

Senate met at 9:55 o'clock, Lieutenant Governor Hanna in the Chair.

Prayer was offered by the Rev. F. M. S. Taylor, Dean of St. Paul's Cathedral, Indianapolis.

The reading of the Journal was being proceeded with, when on motion the further reading of the minutes was dispensed with.

Senator Bundy presented a memorial on the subject of medical legislation, signed by Jesse Nixon, W. M. Pence, and 123 other citizens of Henry county.

Which was referred to the Committee on Public Health, without reading.

Senator Adkinson presented the following communications on the same subject, which are as follows:

KOKOMO, FEBRUARY 7, 1883.

*Hon. L. D. Adkinson, Senator from Howard and Miami:*

DEAR SIR—I forward an official paper, ordered by the Congressional District, representing the views of some fifty members of this society, hoping that you can do something for the good people of this State to rid them of quackery, and in the interest of scientific medicine. We are not favoring any school of medicine, but require that all shall be qualified.

I am ever, yours truly,

WILLIAM SCOTT.

Also the following:

*To the Honorable General Assembly of the State of Indiana, Greeting:*

The undersigned, officers of the Eleventh Congressional District Medical Society, would respectfully represent to your



honorable body, that at a regular meeting of said society, held in Marion, on the 9th day of January, 1883, it was unanimously

Resolved that, in the opinion of this society, the public health would be materially promoted by the enactment of a law by your honorable body prohibiting all persons not duly qualified in the various branches of their profession from practicing medicine in the State of Indiana; that a certificate of qualification from a legally constituted Board of Examiners, of the particular school or sect in which he proposes to practice, setting forth in its official capacity that, thorough examination by it made, proves the applicant to be fully qualified to practice medicine, shall be required as evidence of such qualification; that such measures should be adopted as will insure competent Boards of Examiners for the different schools or sects; and that such boards be required to adopt a standard of qualification for their several schools or sects that will, in the judgment of said board, secure the public against imposture in the matters of health from all incompetent practitioners of its particular school or sect.

WM. SCOTT, M. D.,  
President Eleventh Cong. Dist. Med. Society.

F. S. C. GRAYSTON, M. D.,  
Secretary Eleventh Cong. Dist. Med. Society.

Which were read and referred to the Committee on Public Health.

Senator Faulkner presented the following memorial on the same subject, which is as follows:

MILAN, RIPLEY COUNTY IND., January, 31, 1883.

*Hon. C. R. Faulkner:*

I see by the within letter that there are two medical bills before the present Legislature of Indiana.

The first one requiring a diploma or ten years practice, or five years practice and one course of lectures, would not be likely to do any one injustice.

The second bill requiring a board of examiners to determine the qualifications of a man or woman to practice medicine would be sure to work great injustice in many cases. If the



examiners are selected from the old school faculty it would be difficult for a doctor from any of the reform schools to obtain the privilege to practice medicine in Indiana.

This world is selfish enough without the law offering a premium.

It will be better for the happiness and morals of the profession to let the people select their own doctor as they do their preacher.

If the so-called orthodox religion is true, in reference to the dogma of endless punishment, it would be much better for the Legislature to determine who should show us the sure road to endless bliss.

A doctor's mistake only ends in death, but a preacher's would make us endlessly miserable with yelling devils.

Yours,

DAVID B. ABBOTT, M. D.

P. S.—Indiana is a great people. Let us alone.

Which was read and referred to the Committee on Public Health.

Senator Fletcher presented a petition on the subject of encouraging the State Militia.

Signed by William Mansun, Geo. W. Johnson, and thirty-three other citizens of Marion county.

Which was referred, without reading, to the Committee on Military Affairs.

Senator Magee presented the following petition on the subject of prison labor:

LOGANSPOUT, IND., February 2, 1883.

*To the General Assembly of Indiana:*

GENTLEMEN—Believing in the fundamental right of petition, we, your petitioners, being laborers, petition your honorable body to pass a law prohibiting the employment of convict labor for the benefit of contractors, thus bringing convict labor in conflict with free labor, greatly to the injury of free labor



throughout the State, compelling laborers, in many instances, to work for wages that are insufficient to provide the necessities of life for their families.

Signed by Harry Finmore, Conrad Evilsizor, Perry Benfield, and 211 other citizens.

Which was read and referred to the Special Committee on Prison Labor.

Senator Johnson presented three petitions on the same subject, to-wit:

One signed by 189 citizens of Attica, Fountain county.

Also, one signed by 141 citizens.

And one other signed by 166 citizens of the State.

Which were referred to the same Committee on Prison Labor, without reading.

The President offered the following memorial on the subject of adulterated liquors:

VINCENNES, IND., February 8, 1883.

*To your Honorable Body of Senators and Members of the House of Representatives, assembled at Indianapolis:*

I call your attention to the greatest evil in this State, which should be prohibited, if possible—that is, the selling of poisonous and adulterated alcoholic whisky, brandy, rum, wine, beer and all other intoxicating drinks. These poison drinks make men crazy and cause a great deal of crime, therefore, I think your honorable body will do a great blessing for the citizens of Indiana if you will form a bill and pass a law against any person or persons selling or giving away any adulterated intoxicating drinks; make it so that the Governor of the State shall appoint one expert commissioner for each county in the State to examine all intoxicating drinks before allowing the same to be sold. Pay those commissioners a reasonable fee for their services out of moneys collected from issuing licenses in said county. Make it a misdemeanor and a fineable act for selling or giving away adulterated intoxicating drink. Fine for selling one drink, not less than fifty dollars nor more than



five hundred dollars, and may add imprisonment in the county jail for a period not less than thirty days nor more than one hundred days, at the discretion of the Court.

Yours truly,

JESSE P. EDWARDS.

Which was read and referred to the Committee on Public Health.

Senator Brown, from the Committee on Judiciary on Senate Bill No. 23, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate Bill No. 23, have had the same under consideration, and the committee have directed me to return the bill with the recommendation that it do pass.

Senator Brown, from the Committee on Judiciary on Senate Bill No. 175, made the following report:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate Bill No. 175, have had the same under consideration, and the committee have directed me to return the bill with the recommendation that it be indefinitely postponed.

Senator Bell, from the Committee on Judiciary on Senate Bill No. 164, reported as follows:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate Bill No. 164, have had the same under consideration, and a majority of the committee have directed me to return the bill with the recommendation that it lie on the table.

R. C. BELL.



Senator Bundy, from the Committee on Judiciary, on Senate Bill No. 259, reported as follows :

MR. PRESIDENT :

The Committee on Judiciary, to whom was referred Senate Bill No. 259, have had the same under consideration, and a majority of the committee have directed me to return the bill with the recommendation that it do pass.

Senator Bundy, from the Committee on Judiciary, on Senate Bill No. 152, reported as follows :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate Bill No. 152, have had the same under consideration, and the committee have directed me to return the bill with the recommendation that it lie on the table.

Senator Brown, from the Committee on Fees and Salaries, on Senate Bill No. 43, reported as follows :

MR. PRESIDENT :

Your Committee to whom was referred Senate Bill No. 43, concerning the compensation to be allowed to Coroners, have considered said bill, and said committee have instructed me to return said bill to the Senate with a recommendation that the same should pass, when the following new section shall be added :

SEC. —. The provisions of this act shall only apply to counties containing more than 60,000 inhabitants as evidenced by the census taken by the United States in 1880, and the laws affecting other counties which are now in force shall not be affected by this act.

And the committee recommend the striking out the amendatory features and provisions of said bill so that said bill will be an independent act.



Strike out the following therefore :

That section 30 of the above recited act be amended as follows.

Senator Graham, from the Committee on Judiciary, on Senate Bill No. 106, reported as follows:

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate Bill No. 106, have had the same under consideration, and the committee have directed me to return the bill; with the recommendation that it lie on the table.

GRAHAM,  
For Committee.

Senator Voyles, from the Committee on the Judiciary, on Senate Bill No. 243, reported as follows :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate Bill No. 243, have had the same under consideration, and the committee have directed me to return the bill, with the recommendation that it do pass.

S. B. VOYLES.

Senator Van Vorhis, from the Committee on the Judiciary, on Senate Bill No. 220, reported as follows:

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate Bill No. 220, have had the same under consideration, and the committee have directed me to return the bill, with the recommendation that it do pass.

VAN VORHIS.

Senator Bundy, from the Committee on Judiciary, on Senate Bill No. 162 reported as follows:

MR. PRESIDENT :

The Committee on the Judiciary to whom was referred Senate Bill No. 162, have had the same under consideration, and



the committee have directed me to return the bill with the recommendation that it be amended as follows, and that when so amended that it do pass.

Amend by adding section two, and by changing the emergency clause to section number three.

SECTION 2. That whenever any partition of real estate in any county in this State shall have been made by judgment of any court in this State, and the records of the court in which the proceedings for partition were had shall have been destroyed by fire a certified transcript of the judgment of partition, and any record of same in the Recorder's office of the county wherein the real estate is situate shall be admissible in evidence, without the residue of the record of such proceedings, and shall be deemed *prima facie* evidence of the sufficiency and regularity of all the proceedings, records and papers in the case in which such judgment was rendered.

Senator Ernest, from the Committee on Roads, on Senate Bill No. 100, reported as follows:

MR. PRESIDENT:

Your Committee on Roads having considered Senate Bill No. 100, recommend, by a majority vote, that the same do pass.

JOSHUA ERNEST,  
Chairman.

Senator Ernest, from the same committee, on Senate Bill No. 215, reported as follows:

MR. PRESIDENT:

Your committee to whom was referred Senate Bill No. 215, being an act to amend section one (1) of an act entitled "An act to amend section fifteen (15), and to repeal sections twenty-seven (27) to thirty-eight (38) inclusive, of an act entitled 'An act to provide for the opening, vacating and change of highways,' " etc., approved June 17, 1852, have had the same under consideration, and a majority of said committee recommend that the bill do pass.

JOSHUA ERNEST,  
Chairman.



Senator Hutchinson, from the Committee on Prisons, on Senate Bill No. 247, reported as follows:

MR. PRESIDENT:

Your Committee on Prisons having under consideration Senate Bill No. 247, providing for the more profitable and equitable hiring of convicts in the prisons of the State, and to amend section ten (10) of an act entitled "An act to provide for the government and discipline of the State prisons," beg leave to amend said bill by striking out, on the fourth page and on line No. 18, the words "seven years," and insert in lieu thereof the words "six years," and after being so amended recommend that it do pass.

Respectfully,

JOHN BENZ,  
Chairman.

Senator Campbell moved to suspend the rules and put Senate Bill No. 247 upon its passage.

The motion was withdrawn.

Senator Benz, from the Committee on Prisons, on Senate Bill No. 214, reported as follows:

MR. PRESIDENT:

Your Committee on Prisons, to whom was referred Senate Bill No. 214, having had the same under consideration, beg leave to amend said bill by striking out, on page second, third and fourth lines, "under the direction of Ex-Convicts' Aid Society," and insert "the purchases for the prisons shall be made by the moral instructors, subject to the approval of the Directors, and the purchases for the Reformatory Institution shall be made by the Superintendent thereof, subject to the approval of the Trustees."

JOHN BENZ,  
Chairman.



Senator Ristine, from the Committee on Benevolent Institutions, on engrossed House Bill No. 27, reported as follows:

MR. PRESIDENT:

Your committee, to whom was referred engrossed House Bill No. 27, being "A bill making appropriation for the completion of the construction and furnishing of the Department for Women of the Indiana Hospital for the Insane," etc., have had the same under consideration and recommend that the bill do pass.

THEO. H. RISTINE.

Senator Lockridge, from the Committee on Roads on Senate Bill No. 110, reported as follows:

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Senate Bill No. 110, being an act to amend section 4 of an act entitled "An act in relation to plank, macadamized and gravel road companies," approved March 1, 1855, have had the same under consideration, and a majority of said committee recommend that the bill lie on the table.

THEO. H. RISTINE.

Senator Voyles called up the special order for 10:30 A. M., being Senate Bill No. 91:

The question being, Shall the bill pass?

The ayes and nays were taken with the following result:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 27.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macart-



ney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 21.

So the bill passed.

The title adopted as read.

Senator Voyles moved to reconsider the motion and to lay that motion on the table.

Senator Voyles withdrew the motion.

Senator Smith, of Jay, from the Committee on Phraseology, on Engrossed Senate Bill No. 66, reported as follows:

MR. PRESIDENT:

Your committee, to whom was referred Engrossed Bill No. 66, have had the same under consideration, and a majority have directed me to return the bill with the direction to insert the word "his" in line 13, page 3, and the word "subject" in line 12, page 5.

SMITH.

The report of the committee was concurred in.

Senator Johnston, from the committee on the supervision and inspection of the Journal, reported as follows:

MR. PRESIDENT:

We, the committee on the supervision and inspection of the Journal, beg leave to make the following report:

We have examined Tuesday's Journal, date of February 6, 1883, and find it correct.

COLUMBUS JOHNSTON.

Acting Chairman of Committee.

Senator Ristine, from the Committee on Roads, on Senate Bill No. 129, reported as follows:

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Senate Bill No. 129, being "An act to allow horse and street railway



companies to draw their cars run on such ways by horses and mules, or propel the same in any way such company may adopt, etc.," have had the same under consideration, and a majority of said committee recommend that the bill lie on the table.

THEO. H. RISTINE.

Senator Marvin, from the Committee on Benevolent Institutions, on Senate Bill No. 203, reported as follows:

MR. PRESIDENT:

The Committee on Benevolent and Reformatory Institutions, to whom was referred Senate Bill No. 203, have had the same under consideration, and a majority of the committee instruct me to report the same back to the Senate and recommend its passage.

MARVIN,  
Chairman.

Senator Magee called up special order for 11 o'clock, it being Senate Bill No. 50.

Which was taken up.

And the question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 27.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 20.

So the bill passed.



Senator Ristine stated that he was paired with Senator May, and declined to vote, and asked that the record show that on the vote on Senate Bill No. 91 he was paired as above stated.

It was so ordered.

Senator Bundy called up Senate Bill No. 262, on first reading, which was being read when the Senate adjourned yesterday afternoon, under a suspension of the constitutional rules, and the reading of the bill a first time was completed.

The bill was read a second time by title, when Senator Henry offered the following amendment:

MR. PRESIDENT:

I move to amend the bill by adding the following section, to be properly numbered and placed in its appropriate place in the bill:

SECTION —. That section 151 of said act be amended to read as follows: Section 151. No proceeding shall be instituted before the end of one year from the issuing of letters testamentary, or of administration, and the giving of notice thereof, as required in this act, to enforce the lien of any judgment rendered against the decedent in his lifetime, upon his real estate, or any decree specifically directing the sale of such real estate to discharge any lien or liability created or suffered by the decedent, nor shall any suit be brought before that time against the heirs or devisees of the deceased, to foreclose any mortgage or other lien thereon, for the payment of his personal estate, shall be liable, and at the end of the year, if the executor or administrator shall be diligently prosecuting his proceedings to sell the real estate of the deceased for the purpose of making assets to discharge such liens, other proceedings for the sale thereof by the holders of liens thereon, shall be stayed upon the application of the executor or administrator. This section shall not apply to cases where, before the end of the year, the real estate shall have been sold by the executor or administrator, subject to liens thereon, nor to mortgages and judgments in favor of the State, nor to cases where letters testamentary



or of administration are not issued to the party or parties entitled thereto, within one year from the date of the death of the deceased.

HENRY.

The question being on the motion for the adoption of the amendment.

It was adopted.

Senator Brown moved that the bill be made a special order for 2:30 o'clock P. M. to-day.

The motion prevailed.

Senator Bundy moved that House Bill No. 223 be referred to Special Committee on Decedents' Estates.

Which was adopted.

The following message was received from the House by the hand of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Bill No. 223, to amend section 199 of the Decedents' Estates Act (Acts 1881, p. —), and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk of House.

Senator McCulloch gave notice that he would move to reconsider the vote by which the Committee on Elections was instructed to investigate the Studebaker Bros.' Wagon, Plow Works, etc.

Senator Hilligass asked leave of absence for Senator Fleming until Tuesday morning next.

So ordered.

On motion, the Senate adjourned.



## AFTERNOON SESSION.

FEBRUARY 9, 1883.

The Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

Senator Bundy introduced Senate Bill No. 263, entitled:

A bill for an act to amend section 197 of an act entitled "An act concerning proceedings in civil cases," approved April 7, 1881, being section 913 of the Revised Statutes of 1881.

Which was read a first time and referred to the Committee on Judiciary.

Senator Bichowsky introduced Senate Bill No. 264, entitled:

"An act concerning voluntary associations for the purpose of forming gymnastic or Turnverein associations, and authorizing such associations to hold real and personal property by purchase, gift or devise, to sell and convey the same; legalizing all such associations heretofore formed, and legalizing all conveyances to or made by such associations," and declaring an emergency.

Which was read a first time and referred to the Committee on Judiciary.

Senator Duncan introduced Senate Bill No. 265, entitled:

A bill for an act to legalize the incorporation of the town of Nashville, in Brown county, Indiana, the election and qualification of its Board of Trustees, and designating those of said Board of Trustees elected at the annual election in 1882, who shall serve as such Trustees for the respective terms of one and two years each; and all the acts, orders, ordinances, by-laws and resolutions of the Board of Trustees of said town, together with the acts of said Board in relation to the assessment of taxes for the years 1881 and 1882, and declaring an emergency.

Which was read a first time and referred to the Committee on Corporations.



Senator Fletcher introduced, by request, Senate Bill No. 266, entitled :

A bill for an act relating to safeguards for the operation of dangerous machinery, providing certain actions for non-use thereof, and prescribing certain penalties and rules of evidence in such actions.

Which was read a first time and referred to the Committee on the Judiciary.

Senator Foulke introduced Senate Bill No. 267, entitled :

An act to authorize each branch of the General Assembly and the Governor of said State to require the opinion of Justices of the Supreme Court.

Which was read a first time, and referred to the Committee on Judiciary.

Senator Graham offered the following concurrent resolution, and moved its adoption :

WHEREAS, The act of Congress providing for the payment of arrears of pensions expired by limitation before many, entitled to make just claims thereunder, had availed themselves of its provisions; and

WHEREAS, Many worthy and deserving soldiers have been thereby deprived of the benefits to which they are entitled; therefore,

*Resolved, by the Senate, the House concurring therein, That our Senators in Congress be instructed, and our Representatives requested to favor the passage of a law giving reasonable time for disabled soldiers, or their representatives, to file in the proper department their claims for relief under said act.*

The following message was received from the House, by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Bill No. ten (10) for an act entitled



“An act to amend section 196 of an act entitled ‘An act concerning proceedings in civil cases.’ ”

And the same is transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Senator Hoover introduced Senate Bill No. 268, entitled:

A bill for an act to make the general index of a deed or mortgage made pursuant to law *prima facie* evidence of its contents, when the destruction or loss of the original and the record thereof is made to appear.

Which was read a first time and referred to the Committee on Judiciary.

Senator Johnson introduced Senate Bill No. 269, entitled:

A bill for an act to amend “An act fixing the number of the Trustees of the Purdue University, prescribing the manner of their appointment, providing for the organization of said board and repealing all laws in conflict with the provisions of this act,” approved March 9, 1875, being sections 4671, 4672 and 4674 of the Revised Statutes of 1881, and declaring an emergency.

Which was read a first time and referred to the Committee on Education.

Senator Keiser moved that Senate Bill No. 207 be taken up, that the constitutional rules be suspended, and the report of the committee on the bill be adopted, the bill read a second time by title, considered engrossed, read a third time by sections and placed upon its passage.

The ayes and nays being taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fletcher, Foulke, Graham, Henry, Hill, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, McClure, Mc-



Intosh, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, White, Yancey and Youche. Total, 35.

Those voting in the negative were:

Senators Benz, Faulkner and Willard. Total, 3.

So the rules were suspended.

The bill was read a second time by title, with the report of the committee on bill that it do pass.

The report of the committee was concurred in.

The bill was ordered considered engrossed.

Read a third time by sections.

And the question being, Shall the bill pass?

The ayes and nays were taken, with the following result:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fletcher, Foulke, Graham, Henry, Hill, Hoover, Hutchinson, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, McClure, McIntosh, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, White, Yancey and Youche. Total, 36.

Those voting in the negative were:

Senators Benz, Faulkner, Johnston and Willard. Total, 4.

So the bill passed.

The title was adopted as read.

Senator Spann introduced Senate Bill No. 270, entitled:

A bill for an act concerning voluntary associations, and supplementary to an act on that subject, etc.

Which was read a first time and referred to the Committee on Corporations.



Senate Bill No. 262, being a special order for 2:30 o'clock P. M., was called up at said time.

When Senator Henry offered the following amendment:

MR. PRESIDENT:

I move to amend section 20 of the bill by adding the following thereto:

*Provided, however, That when an account is filed, and no notice of the hearing of the same is required, it shall not be necessary for the clerk to fix a day in the future for hearing thereof, but the same may be acted on at any time by the court.*

HENRY.

Which was adopted.

Senator Compton offered the following amendment:

MR. PRESIDENT:

I move to amend as follows:

Add to the bill the following section:

SECTION 30. That section one hundred and fifteen of said act be amended to read as follows: Section 115, Revised Statutes, 1881, Section 2340. Notice of the pendency of the petition, and of the time and place of hearing shall be given by publication for three weeks successively, in some newspaper printed and published in the county in which the administration of the estate is pending, if any be published therein, and and if not, then in some public newspaper printed and published nearest thereto, in this State, at least ten days before the time set for hearing said petition, the notice herein provided for shall be issued by the clerk of the court, attested by his signature and seal of the court.

Which was adopted.

When on motion the bill was ordered considered engrossed.

The bill was read a third time by sections.

The question being, Shall the bill pass?



The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Foulke, Henry, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 44.

No Senator voting in the negative.

So the bill passed.

Senator Smith, of Jay, offered the following amendment to the title of the bill:

MR. PRESIDENT:

I move to amend the title so as to include section 115 of the acts of 1881, as amended.

SMITH.

Which was adopted.

The title was adopted as amended and read.

The following messages were received from the House by the hand of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Bill No. 30, to amend section 3 of an act entitled, "An act regulating the adoption of heirs," and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Bill No. 22, to legalize the assessments



of taxes made by the Board of Trustees of the incorporated town of Winchester, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Bill No. 13, concerning the use of firearms, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Senator White asked leave of absence for Senator Null until Monday noon.

Which was granted.

Senator Campbell asked leave of absence for Senator Hutchinson until Monday morning.

Which was granted.

The following message was received from the House by the hand of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Bill No. 53, to legalize the incorporation of the town of Burnettsville, White county, Ind., and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Clerk.

Senator Sayre introduced Senate Bill No. 271, entitled:

An act to amend section 13 of an act entitled "An act to provide for a general system of common schools," etc., approved March 6, 1865, which was read a first time and referred to the Committee on Education.



Senator Spann introduced Senate Bill No. 272, entitled:

An act entitled "An act to create a Soldiers' and Sailors' Orphans' Home, to provide for its erection and maintenance, and the election of a Superintendent and Trustees to manage and control the same."

Which was read a first time and referred to the Committee on Benevolent Institutions.

Senator Magee introduced Senate Bill No. 273, entitled:

A bill concerning foreign insurance companies.

Which was read a first time and referred to the Committee on the Judiciary.

Senator Willard introduced Senate Bill No. 274, entitled:

An act concerning the qualification of students in, and admission to, the public educational institutions of the State of Indiana, prescribing the duties of all officers of such institutions in relation thereto, fixing penalties for any violation thereof, and declaring an emergency.

Which was read a first time and referred to the Committee on Education.

Senator Foulke moved to suspend the constitutional rules and take up Senate Bill No. 203; that it be read a second time by title, considered engrossed, read a third time by sections, and be placed upon its passage.

The ayes and nays being taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Ernest, Fletcher, Foulke, Henry, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Spann, White, Yancey and Youche. Total, 39.



Those voting in the negative were:

Senators Duncan, Faulkner, Van Vorhis, Voyles and Willard. Total, 5.

So the constitutional rules were suspended.

The bill was read a second time, with the report of the committee thereon, and the report was concurred in.

The bill was ordered considered engrossed.

The bill was read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:.

Senators Adkinson, Bell, Brown, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Fletcher, Foulke, Henry, Hoover, Hutchinson, Johnson, Keiser, Lockridge, Macartney, Magee, Marvin, McClure, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Spann, White and Yancey. Total, 32.

Those voting in the negative were:

Senators Duncan, Faulkner, Hill, Smith of Delaware, Van Vorhis, Voyles and Willard. Total, 7.

So the bill passed.

Senator Foulke offered the following amendment to the title:

I move to strike out the words "the south side of" from said title.

Which was adopted.

The title was adopted as amended and read.



The following message was received from the House by the hands of the Principal Clerk thereof, as follows :

MR. PRESIDENT :

I am instructed by the House to inform the Senate that the House has passed House Bill No. 2, to legalize the acknowledgment and recording of certain instruments of writing.

Also, House Bill No. 3, to amend section 461 of an act entitled "An act concerning proceedings in civil cases," and the same are herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk of the House.

Senator Ernest moved that the constitutional rules be suspended, that House Bill No. 34 be taken up, read a first time, read a second time by title, considered engrossed, read a third time by sections, and placed upon its passage.

The ayes and nays being taken, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Benz, Bichowsky, Brown, Bundy, Compton, Davidson, Duncan, Ernest, Foulke, Henry, Hilligass, Hoover, Hutchinson, Johnson, Keiser Lockridge, Lindley, Macartney, Magee, Marvin, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 38.

Those voting in the negative were :

Senators Faulkner and Hill. Total, 2.

So the rules were suspended.

The bill was read a first and second time by title, ordered considered engrossed, read a third time by sections.

The question being, Shall the bill pass?



The ayes and nays were taken, with the following result:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Graham, Henry, Hill, Hilligass, Hoover, Hutchinson, Johnson, Keiser, Lindley, Macartney, Magee, Marvin, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 40.

Senator Faulkner voting in the negative.

So the bill passed.

The title was adopted as read.

The following message was received from the House, by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Bill No. 5, concerning town elections; also, House Bill No. 302, making appropriations for the State government and institutions, and other matters connected therewith, and the same are herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk of the House.

Senator Bichowsky was given consent and called up House Bill No. 32.

Which was read a first time and referred to the Committee on Organization of Courts.

The following message was received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Bill No. 32, to create the Forty-third



(43d) Judicial Circuit; also, to provide for holding terms of court in the Fourteenth, Fifteenth and Forty-third Judicial Circuits, and other matters connected therewith, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk of the House.

And also the following message:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Bill No. 34, "To legalize the election of the Board of Trustees and all the officers of the town of Sullivan, Sullivan county, Indiana," the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Senator Marvin was given consent, and called up Senate Bill No. 167.

Which was read a second time, with the report of the committee thereon.

Which report was concurred in.

On motion of Senator Willard the Senate adjourned.

THOMAS HANNA,  
President of the Senate.



## SATURDAY MORNING.

FEBRUARY 10, 1883.

Senate met at 10 o'clock, Lieutenant Governor Hanna in the Chair.

Prayer was offered by the Rev. T. H. Lynch, pastor of Grace Methodist Church, Indianapolis.

On motion of Senator Brown the reading of the minutes was dispensed with.

Senator Spann offered the following communication:

NEW ALBANY, Feb. 9, 1883.

*Hon. Lieutenant Governor Hanna:*

DEAR SIR—I see by the Courier-Journal of this morning that the Democrats are trying to repeal the dog law. I am a Republican, elected in a Democratic township of 600 majority—and elected to my second term. Before the present dog law was enacted I drew from the County Treasurer \$300 and paid most all of it for the killing of sheep. Under the new law I collected \$979, had 460 dogs killed, paid thirty-five dollars for killing sheep, and will have the balance to transfer to the school fund in March. The tag law can not be improved, in my judgment. Every dog running at large without something to distinguish him will be killed in this township. Under the present law I can continue my schools one month longer than under the old law, when the Treasurer collected the tax.

Your obedient servant,

CHARLES H. MAKIN,

Township Trustee, New Albany Township.

Which was read and referred to the Committee on Rights and Privileges.



Senator White presented a petition on the subject of the public health laws, signed by M. M. Latta, P. D. Harding, and four other citizens of Goshen, Indiana.

Which was referred to the Committee on Public Health, without reading.

Senator Bell moved to take up House Bill No. 302.

It was so ordered.

Senator Bell moved that the constitutional rule be suspended, and the bill read a first time by title.

The ayes and nays being taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Foulke, Henry, Hill, Hilligass, Hoover, Howard, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, McClure, McIntosh, Overstreet, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Voyles, White, Willard, Yancey and Youche. Total, 38.

No one voting in the negative.

So the constitutional rules were suspended.

The bill was read a first time by title, and referred to the Committee on Finance.

Senator Bell moved that 200 copies of the bill be printed.

It was so ordered.

Senator Bell moved that the constitutional rule be suspended, and that Senate Bill No. 196 be taken up, read a second time by title, considered engrossed, read a third time by sections, and placed upon its passage.



The ayes and nays being taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, McClure, McIntosh, Overstreet, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Voyles, White, Yancey and Youche. Total, 38.

No vote in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title, with the report of the committee thereon.

The report of the committee was concurred in.

The bill was ordered considered engrossed, and read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays being taken resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, McClure, McIntosh, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, White, Willard, Yancey and Youche. Total, 41.

No one voting in the negative.

So the bill passed.

Senator Smith, of Delaware, asked leave of absence for Senator Hoover, until Monday next at 2 o'clock, p. m., and stated that he was paired with him on all political questions.

Which was granted.



Senator Voyles asked leave of absence for Senator Sayre, until Wednesday next, at 2 o'clock, P. M., and stated that he was paired with him on all questions of a political nature.

Which was granted.

Senator Spann asked leave of absence for Senator Marvin until Monday next, at 2 o'clock P. M., and stated that he was paired with him on all political questions.

Which was granted.

Senator Adkinson moved that the constitutional rule be suspended, and that Senate Bill No. 114 be taken up, read a second time by title, with the report of the committee thereon, considered engrossed, read a third time by sections, and placed upon its passage.

The ayes and nays being ordered and taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Brown, Campbell, Davidson, Duncan, Ernest, Fletcher, Foulke, Graham, Henry, Hill, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, McClure, Overstreet, Ristine, Sayre, Smith of Delaware, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 30.

Those voting in the negative were:

Senators Faulkner, McCulloch, McIntosh and Richardson. Total, 4.

So the motion was lost.

Senator Lindley asked leave of absence for Senator Magee until Monday next 12 M., and stated that he was paired with him on all political questions.

Which was granted.

Senator Foulke asked leave of absence for Senator Johnson, and stated that he was paired with him on all political questions.

Which was granted.



Senator Henry, from the Committee on Phraseology, offered the following report on Senate Bill No. 145:

MR. PRESIDENT:

Your Committee on Phraseology have examined Senate Bill No. 145, and instructed me to return the bill without recommending any changes.

HENRY.

Senator Compton called up Senate Bill No. 130.

Which was read a second time, with the report of the committee thereon.

The report of the committee was concurred in, and the bill was ordered engrossed.

Senator Duncan offered the following memorial from Monroe county:

*To the Members of the Senate of the General Assembly of the State of Indiana:*

We, the undersigned citizens of Monroe county, would most respectfully petition your honorable body to repeal the law relating to the State Board and Local Boards of Health, enacted during the session of 1881.

We would represent to your honorable body that said law should be so repealed, for the following reasons:

First—On account of the expense necessary in carrying out its provisions.

Second—On account of defects in its provisions.

Third—On account of the failure to accomplish the object of its enactment.

Wherefore your petitioners pray that the same may be repealed.

D. W. BROWNING,

Clerk Circuit Court.

WILLIAM A. GABE,

Ed. Republican-Progress.

And thirty-nine other citizens.

Bloomington, Ind., Feb. 7, 1883.

Which was read and referred to the Committee on Public Health.



Senator Bell presented a claim of J. Giles Smith, amounting to \$59.65.

Which was referred, without reading, to the Committee on Claims.

Senator Lindley presented three petitions, signed by 154 citizens of Vermillion county, asking that the act creating the State Board of Health be not repealed.

Which was referred, without reading, to the Committee on Public Health.

Senator Johnson presented a petition signed by 1,425 legal voters of the city of Lafayette, praying for the abolishment of convict labor as against respectable labor.

Which was referred to the Special Committee on Prison Labor, without reading.

Senator White moved that the rules be suspended and Senate Bill No. 145 be taken up and read a third time.

It was so ordered.

The bill was read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays being taken, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Bichowsky, Campbell, Davidson, Duncan, Fletcher, Hill, Hilligass, Johnston, Johnson, Lockridge, Lindley, Macartney, McIntosh, Overstreet, Ristine, Sayre, Spann, Van Vorhis, Voyles and White. Total, 21.

Those voting in the negative were:

Senators Adkinson, Bundy, Faulkner, Foulke, Graham, Henry, Howard, McClure, McCulloch, Richardson, Smith of Jay, Willard and Yancey. Total, 13.

So the bill failed to pass.



Senator Willard moved that 150 copies of Senate Bill No. 274 be printed.

It was so ordered.

Senator Spann moved that when the Senate adjourn to-day it adjourn to meet next Monday at 2 o'clock p. m.

It was so ordered.

The following message was received from the House at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Senate Concurrent Resolution No. 8, in relation to soldiers' pensions, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Clerk.

Senator Willard moved to reconsider the vote by which it was ordered, that when the Senate adjourn it adjourn to meet on next Monday at 2 o'clock p. m.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Bell, Brown, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Johnston, McCartney, McClure, McCulloch, McIntosh, Richardson, Smith of Jay, Voyles, White and Willard. Total, 21.

Those voting in the negative were:

Senators Adkinson, Benz, Bichowsky, Bundy, Foulke, Graham, Henry, Howard, Johnson, Lockridge, Lindley, Overstreet, Ristine, Sayre, Spann, Van Vorhis, Yancey and Youche. Total, 18.

The vote was reconsidered.



The question being, When the Senate adjourn to-day it be to meet on Monday next at 2 o'clock.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bundy, Campbell, Foulke, Graham, Henry, Howard, Johnson, Lockridge, Lindley, Overstreet, Ristine, Sayre, Smith of Jay, Spann, Van Vorhis, White, Yancey, Youche, and Mr. President. Total, 21.

Those voting in the negative were:

Senators Bell, Bichowsky, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Johnston, Macartney, McClure, McCulloch, McIntosh, Richardson, Voyles and Willard. Total, 19.

So the motion was adopted.

Senator Brown moved the roll be called for verification.

It was so ordered.

Senator Hill, from the Committee on County and Township Business on Senate Bill No. 3, verbally reported said bill back to the Senate.

And it was referred to a special committee, consisting of Senators Voyles, Richardson and Ristine.

The following messages were received from the House at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Bill No. 74, to amend section 372 of an act entitled, "An act concerning proceedings in civil cases," and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Also the following:



MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Senate Bill No. 20, for an act relating to the qualifications of petit jurors in the several counties of this State, and declaring an emergency, and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Senator McCulloch moved, in accordance with his notice of yesterday, to reconsider the vote by which the Committee on Elections were authorized and instructed to investigate the action of the Studebaker Brothers' violation of the election laws in the late elections.

The following messages were received from the House by the hand of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Bill No. 66, to legalize the incorporation of the town of Syracuse, in Kosciusko county, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Bill No. 33, to amend section one (1) of an act entitled "An act providing for a homestead and exempting it from sale on execution," and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Senate Bill No. 32, for "An act to punish per-



sons who disclose the contents of messages or conversations sent over telephone lines," and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Bill No. 67, legalizing the incorporation of the town of Silver Lake, and declaring an emergency; and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Pending discussion on the motion of Senator McCulloch.

On motion of Senator Brown, the Senate adjourned.

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## AFTERNOON SESSION.

FEBRUARY 10, 1883.

Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

Senator Voyles, from the Committee on Judiciary, on Senate Bill No. 140, reported as follows:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate Bill No. 140, have had the same under consideration, and a majority of the committee have directed me to return the bill, with the recommendation that it lie on the table.

S. B. VOYLES.

The question being on the motion to reconsider by Senator McCulloch.



Senator Bell asked unanimous consent that it go over until Monday next.

It was so ordered.

Senator Fletcher presented the following memorial of John Martin:

INDIANAPOLIS, February 10, 1883.

The State of Indiana, to John Martin, Dr., to principal and interest on the following warrant:

INDIANAPOLIS, Ind., November 2, 1881.

*The State of Indiana, on account of the Hospital for the Insane, Department for Women.*

TO THE AUDITOR OF STATE:

This is to certify, that by an order of the Commissioners for the Indiana Hospital for the Insane, Provisional Board, this day made, it is found that there is due John Martin, from the State of Indiana, for material furnished and work performed to this date, under his contract with said board, dated June 4, 1875, the sum of forty-six thousand seven hundred and thirty-six dollars and forty-six cents (\$46,736.46). The Auditor of State is therefore authorized to issue to John Martin, his executors, administrators or assigns, a warrant on the Treasurer of State for said sum of \$46,736.46, whenever an appropriation shall be made by the General Assembly of the State of Indiana, for the purpose of paying the same. This warrant being issued by order of said Provisional Board, in pursuance of section 13, of the act of the General Assembly of the State of Indiana, approved March 11, 1875.

In witness whereof, the said board has caused this warrant to be signed by their President, attested by their Secretary and countersigned by their Supervisor of Construction on this 2d day of November, 1881.

ALBERT G. PORTER,  
Governor and President of the Board.

Attest: SAMUEL R. DOWNEY,  
Secretary.



[*In Duplicate.*]

I hereby certify that the foregoing account is correct and just, and it is approved.

INDIANA HOSPITAL FOR THE INSANE,  
DEPARTMENT FOR WOMEN,  
Dated November 2, 1881. }

JOSEPH G. RODGERS,  
Superintendent and Supervisor of Construction.

Which was read and referred to the Committee on Claims.

Senator Graham was given unanimous consent and introduced, by request, Senate Bill No. 275, entitled:

An act to require certain officers to keep cash books.

Which was read a first time and referred to a special committee of three, consisting of Senators Voyles, Richardson and Ristine, and Senator Graham to act with said committee.

Senator Voyles was given unanimous consent and introduced Senate Bill No. 276, entitled:

An act to establish a Home for Soldiers' Orphans and helpless ex-soldiers of Indiana.

Which was read a first time.

Senator Voyles moved that it be referred to a special committee of five, and that Senate Bill No. 272 be sent to same committee, and that 100 copies of each be printed.

It was so ordered.

The President appointed as such committee Senators Voyles, Spann, May, Yancey and Compton.

Senator White, for Senator Sayre, introduced Senate Bill No. 277, entitled:

A bill for an act concerning salaries of County Clerks, providing for their payment, and repealing all other laws on that subject.

Which was read a first time and referred to the Committee on Fees and Salaries.

Two hundred copies of said bill were ordered printed.



Senator Bell introduced Senate Bill No. 278, entitled:

An act supplemental to an act of March 9, 1875, concerning the drainage of wet lands.

Which was read a first time and referred to the Committee on Canals and Swamp Lands.

Senator McCulloch, from the Committee on Judiciary on Senate Bill No. 98, reported as follows:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate Bill No. 98, have had the same under consideration, and a majority of the committee have directed me to return the bill with the recommendation that it do pass.

J. E. McCULLOCH.

Senator McCulloch, from the same committee, on Senate Bill No. 146, reported as follows:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 146, would report that they have had the same under consideration; that the title of said bill should be amended to read as follows:

An act to amend section 650 of an act entitled "An act concerning proceedings in civil cases," approved April 7, 1881 (see section 662 R. S. of 1881), and declaring an emergency.

That section 1 of said bill should be amended so as to read as follows:

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* That section 650 of an act entitled "An act concerning proceedings in civil cases," approved April 7, 1881, be and the same is hereby amended to read as follows:

SEC. 650. When any cause is determined in the Supreme Court, the Clerk shall forthwith notify the Clerk of the court below that it is determined, whether reversed or affirmed, in whole or in part, or dismissed; at any time within sixty days



after such determination, either party may file a petition for a rehearing, and the court shall decide upon the various points presented by such petition. But in no case shall the Judge who prepared the original opinion in the case have any voice determining the questions raised by the petition for rehearing. If no petition for a rehearing is so filed as aforesaid, the decision and instructions of the Supreme Court shall be certified to the court below, unless otherwise ordered by the court.

And a majority of your committee recommend that said bill, when so amended, do pass.

J. E. McCULLOCH.

Senator Johnston, from the Committee on Journals of the Senate, reported as follows:

MR. PRESIDENT:

Your Committee on Supervision and Inspection of the Journal beg leave to make the following report:

We have examined the Journal of February 1, and also the Journal of February 7, and find them correct.

COLUMBUS JOHNSTON,

Acting Chairman.

The report was adopted.

Senator Foulke, from the Committee on Phraseology, on Senate Bill 107, reported as follows:

The Committee on Phraseology report on Senate Bill No. 107:

Amend title by inserting word "and" after word "attorney."

Insert the word "release" after word "sell," section 1, line 4.

Insert words "as attorney in fact of another," after word "therein," in section 1, line 5.

Insert word "such" before word "attorney," section 1, line 7.

Strike out word "easement," section 1, line 10.

Insert words "which notice may be" after word "authority," section 1, line 38.

Insert words "or by copy of a duly acknowledged memorandum entered and attested as aforesaid," at end of section 1.

FOULKE.

The report was concurred in.



Senator Foulke, from the same committee, on Senate Bill No. 58, reported as follows:

MR. PRESIDENT:

The Committee on Phraseology, to whom was referred Senate Bill No. 58, has authorized me to report the following amendments:

To strike out "April 15th, 1881," and substitute "March 7th, 1863," and the words "being section 6553 of the Revised Statutes."

Foulke.

The report of the committee was concurred in.

Senator Graham moved that 200 copies of Senate Bill No. 176 be printed.

The motion was adopted.

Senator Bell, from the Committee on the Judiciary, on Senate Bill No. 239, reported as follows:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate Bill No. 239, have had the same under consideration, and a majority of the committee have directed me to return the bill with the recommendation that it lie on the table, for the reason that a similar bill is on its passage.

R. C. Bell.

The report was concurred in.

Senator Bell, from the same committee, on Senate Bill No. 233, reported as follows:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate Bill No. 233, have had the same under consideration, and a majority of the committee have directed me to return the bill, with the recommendation that it do pass.

R. C. Bell.



Senator Foulke, from the special committee on the reapportionment of school fund, reported as follows:

The special committee on reapportionment of the school fund respectfully request that the matters referred to such committee be committed to the Committee on Education.

W. D. FOULKE,  
FRANCIS JOHNSON,  
F. V. BICHOWSKY.

The report was concurred in.

Senator Bell was given consent, and called up Senate Bill No. 43, which was read a second time, with the report of the committee thereon.

Senator Bell offered the following amendment to the report of the committee:

MR. PRESIDENT:

I move to amend the report of the Committee on Fees and Salaries on Senate Bill No. 43, by striking out, where it occurs, "sixty thousand," and inserting in lieu thereof "forty thousand."

The report was amended.

The report as amended was concurred in, and the bill was ordered engrossed.

Senator McCulloch, from the Committee on the Judiciary, on Senate Bill No. 228, reported as follows:

MR. PRESIDENT:

Your Committee on the Judiciary, to whom was referred Senate Bill No. 228, have had the same under consideration, and a majority of the committee have directed me to return the bill with the recommendation that it be amended by adding thereto a tenth section in these words:

SEC. 10. The members of any company organized under the provisions of this act shall be individually liable for the debts of such company, and that said bill, when so amended, do pass.

Senator Spann moved that the Senate adjourn.

The motion prevailed.

THOMAS HANNA,  
President of the Senate.



## MONDAY AFTERNOON.

FEBRUARY 12, 1883.

Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

Prayer was offered by the Rev. R. D. Black, pastor Pattison M. E. Church, Indianapolis.

On motion of Senator Voyles, the reading of the Journal was dispensed with.

The question being, Shall the motion of Senator McCulloch, that the vote ordering the investigation of the Studebaker Brothers' be reconsidered be adopted?

Pending the discussion of the foregoing motion, Senator McCulloch moved the previous question.

Whereupon, Senator Spann moved that the Senate do now adjourn.

It was so ordered, and the Senate adjourned.

THOMAS HANNA,  
President of the Senate.



## TUESDAY MORNING.

FEBRUARY 13, 1883.

The Senate met at 10 o'clock, Lieutenant Governor Hanna in the Chair.

Prayer was offered by the Rev. D. D. Reed, pastor of the North Baptist Church, Indianapolis.

Senator Henry moved that the reading of the minutes be dispensed with.

The motion prevailed.

The question being, Shall the demand for the previous question be seconded?

It was so ordered.

The question being, Shall the main question be put?

It was so ordered.

The question being, Shall the vote be reconsidered by which the Election Committee was ordered to investigate the conduct of the Studebaker Bros., in the election at South Bend?

The ayes and nays being demanded by Senators Spann and White, and taken, resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Compton, Davidson, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Johnston, Johnson, Magee, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson and Willard. Total, 22.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Keiser, Lockridge, Lindley, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White and Yancey. Total, 20.

So the vote to reconsider was adopted.



Senator Henry asked leave of absence for Senator Smith, of Jay, for to-day, and stated that he was paired with him on all political questions.

Which was granted.

Senator Johnson asked leave of absence for Senator Foulke for to-day, and stated that he was paired with him on all political questions, except on final passage of bills.

Which was granted.

The question being, Shall the original resolution be adopted, ordering the Election Committee to investigate the conduct of the Studebaker Brothers in the election of 1882?

The ayes and nays being demanded by Senators Henry and Spann, and being taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Graham, Keiser, Lockridge, Lindley, Macartney, Marvin, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 19.

Those voting in the negative were:

Senators Bell, Benz, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Johnston, Magee, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Voyles and Willard. Total, 23.

So the motion was rejected.

Before the announcement of the vote, Senator McIntosh moved that the roll be called for verification.

It was so ordered and the vote verified.

Senator Henry stated that he was paired with Senator Smith, of Jay, and declined to vote.

Senator Johnson stated that he was paired with Senator Foulke, and declined to vote.



Lieutenant Governor Hanna presented a communication from the Clerk of the Supreme Court, as follows :

INDIANAPOLIS, IND., February 8, 1883.

*To the Honorable, the Senate of the State of Indiana:*

In compliance with your resolution, asking certain information as to the number of cases pending at certain dates in the Supreme Court, and the number of cases decided within certain limits therein named, I have the honor to submit the following:

Number of appeals pending January 1, 1881, 1,669.

Number of appeals pending January 1, 1883, 1,122.

Number of cases decided from January 1, 1879, to January 1, 1881, 1,251.

Number of cases decided from January 1, 1881, to January 1, 1883, 1,796.

All of which is respectfully submitted.

S. P. SHEERIN,

Clerk Supreme Court.

It was ordered to remain on file in the office of the Secretary of the Senate.

Senator Bell presented a memorial signed by ninety-six citizens, petitioning the General Assembly to abolish the Allen Criminal Court.

Which was referred, without reading, to the Committee on Organization of Courts.

Senator Willard made the following motion:

MR. PRESIDENT:

I move that House Bill No. 302, entitled "The General Appropriation Bill," be made the special order for 2 o'clock this afternoon.

WILLARD.

It was so ordered.



Senator Davidson, from the Committee on Agriculture, on Senate Bill No. 101, reported as follows :

Amendment No. 1, to section 8:

*Provided*, That if any syrup or sugar be found in the possession of a retail merchant in this State, with an incorrect, false or fraudulent label attached to the same, and the said merchant purchased the same in good faith, believing it to be correctly labeled, he shall not be liable, as in this section provided, but the said merchant, upon information of the false, fraudulent, or incorrect character of the label, shall forthwith procure a correct label and have the same attached to the article of sugar or syrup, as the case may be, and until such correct label be procured and attached he shall not dispose of the said article.

Amendment No. 2, section 10:

In any action or proceeding under this statute against a retail dealer doing business within this State, on account of the sale of syrup or sugar incorrectly, falsely or fraudulently labeled, and such retail dealer in such action or proceeding shall claim that he purchased the article in good faith and in ignorance of the incorrectness of the falsity or character of the label, and that he so purchased the article of a non-resident of the State of Indiana, such non-resident shall be made a defendant to such action or proceeding with such retail dealer, and notice shall be given by publication to such non-resident defendant of the pendency of such action or proceeding, for three weeks successively in some weekly newspaper published in the county where said action or proceeding is had, and if it be found in such proceeding that the defendant dealer did so purchase in good faith such article, it shall be so adjudged, and the court shall further adjudge, that as a condition precedent to doing business in the State, such non-resident vendor shall pay as a penalty for selling the falsely, fraudulently, or incorrectly labeled article, the sum of fifty dollars for said offense.

MR. PRESIDENT: .

Your Committee on Agriculture, to whom was referred Senate Bill No. 101, entitled "A bill to encourage the growth and



manufacture of sugar and syrup, and to prevent fraud therein," have had the same under advisement. Having amended the same, the committee beg leave to report that, with said amendments, the bill do pass.

W. H. DAVIDSON,  
Chairman.

Senator Yancey presented the following petition:

*To the General Assembly of the State of Indiana:*

We, the undersigned citizens of the town of New Palestine, Hancock county, Indiana, having learned that a bill is now before the General Assembly for the purpose of changing the present school law, as regards incorporated towns of 1,000 inhabitants and under, in giving the school interests into the hands of the Township Trustee, and believing such a measure will be beneficial to the inhabitants of said town and vicinity, do respectfully ask its passage by your honorable body; and your petitioners, as in duty bound, will ever pray.

Signed by fifty citizens.

Which was referred, without reading, to the Committee on Education.

Senator May presented a petition, signed by 136 citizens of Perry county, remonstrating against being attached to the Third Judicial Circuit.

Which was referred, without reading, to the Committee on Organization of Courts.

Senator Ristine presented a petition, signed by E. W. Keegan, M. D., and E. H. Cowan, M. D., and twenty-seven others, praying that the act creating the State Board of Health, be not abolished.

Which was referred, without reading, to the Committee on Public Health.

Senator Fletcher presented a petition on the same subject, signed by J. B. Duncan, M. D., A. R. Byres, M. D., and twenty-eight other citizens of Pike county.



Also, a petition on the same subject, signed by S. C. Weddington, M. D., J. C. Knight, M. D., and seventy-two others.

Which were both referred to the Committee on Public Health, without reading.

Senator Graham presented a petition on the same subject, signed by fifty citizens of Noblesville, Indiana.

Which was referred, without reading, to the Committee on Public Health.

Senator Henry presented a petition on the same subject, from the Physio-Medical Institute, of Marion, Indiana.

Which was referred to the Committee on Public Health, without reading.

Senator Ernest, from the Committee on Enrolled Bills, reported on Engrossed Senate Bill No. 32, as follows:

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Enrolled Act No. 32, Senate, with Engrossed Senate Bill No. 32, and find that they correspond.

JOSHUA ERNEST,  
Chairman.

The report was concurred in.

Senator McIntosh presented the following petition:

*To the Honorable Senate and House of Representatives of Indiana, in Legislature assembled:*

We, the undersigned members of the Board of Managers of the Home of Friendless Women, of Richmond, Indiana, most respectfully represent to your consideration the fact that many girls come to our care, under the age of seventeen years, with ruined characters.

We, therefore, most urgently petition and entreat your honorable body to amend the law governing admission of girls to the State Reformatory, making it under seventeen years, instead of fifteen, as it now is, and thus save a large portion of the young girls from lives of prostitution and sin.



We, also, petition you to extend the time of detention under the care of the Reformatory until they are twenty-one years of age, unless sooner released by the officers for good conduct.

Very respectfully,

MARTHA VOLUNTINE,  
 MARY J. THOMAS,  
 MRS. S. A. HIFF DAVIS,  
 MARGARET DENNIS,  
 AGNES GOAR,  
 LIBBIE CANDLER,  
 ABBIE DUDLEY,  
 HANNA VOTAW,  
 SOPHIA HILL,  
 LAVINA PIERSON,  
 REBECCA MORREMAN,  
 PRISILLA THOMAS,  
 NARCISSA COX,  
 ELIZABETH COMMONS,  
 ABBIE HILL,  
 ANN M. HAM.

By order of the regular meeting of the Board, held in Richmond, February 7, 1833.

Which was read.

Senator Graham, from the Committee on the Judiciary, on Senate Bill No. 229, reported as follows:

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate Bill No. 229, have had the same under consideration, and the Committee have directed me to return the bill with the recommendation that it do pass.

GRAHAM,

For Majority of Committee.



Senator White, from the Committee on County and Township Business, on Senate Bill No. 260, reported as follows:

MR. PRESIDENT:

The Committee on County and Township Business, to whom was referred Senate Bill No. 260, have had the same under consideration and recommend that the same do pass.

WHITE.

Senator Hutchinson, from the Committee on Corporations, on Senate Bill No. 33, reported as follows:

MR. PRESIDENT:

Your Committee on Corporations, to whom was referred Senate Bill No. 33, report that they have had the same under consideration, and a majority of your committee recommend that said bill do pass.

HUTCHINSON.

Senator Howard, from the Committee on Military Affairs, on Senate Bill No. 199, reported as follows:

MR. PRESIDENT:

The Committee to whom was referred Senate Bill No. 199, introduced by Senator Bell, the same being an act supplemental to an act entitled "An act for the organization and regulation of the Indiana Militia, approved May 11, 1861, and matters connected therewith," would report that they have had the same under advisement, and now recommend that section 5 of said bill be amended by striking out lines numbered 9, 10, 11, 12, 13 and 14; that section 40 be amended by striking out the words "two thousand" in line numbered 14 in said section, and inserting in lieu thereof the words "fourteen hundred."

Amend the bill by striking out sections 53, 65 and 68.

Amend section 60 by inserting the words "without lawful excuse" after the word "commanded," in line numbered 15 in said section; and further amend said section 60 by striking out the words "less than fifty, nor," in lines 19 and 20; and also



strike out the words "less than thirty days, nor," in line 23 of said section 60.

Amend section 66 by striking out the words "obstructing, insulting," in line numbered 2 of said section; and also by striking out the word "obstruct," in line 3, of said section 66.

And we recommend that when so amended that the bill do pass.

F. M. HOWARD,  
Chairman.

JOHN BENZ,  
F. J. VAN VORHIS.

Senator McIntosh, from the same committee, on Senate Bill No. 199, offered the following minority report:

MR. PRESIDENT:

Your Committee on Military, to whom was referred Senate Bill No. 199, have had the same under advisement, and a minority recommend the same to lie on the table.

J. P. MCINTOSH.  
C. JOHNSTON.

Senator Van Vorhis, from the Committee on Organization of Courts, on Senate Bill No. 174, reported as follows:

MR. PRESIDENT:

Your Committee on Organization of Courts, to whom was referred Senate Bill No. 174, have had the same under consideration, and have directed me to report the same back with recommendation that it be passed.

F. J. VAN VORHIS.

Senator May, from the Committee on Organization of Courts, on Senate Bill No. 72, reported as follows:

MR. PRESIDENT:

Your Committee on Organization of Courts, to whom was referred Senate Bill No. 72, having duly considered the same,



beg leave to report said bill back to the Senate, that the same should be amended as follows :

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That the terms of the Second Judicial Circuit of this State shall be as follows, to-wit: In Warrick county on the first Mondays of March, June, September and December, of each year; in Spencer county on the first Mondays of January, April, July and October, of each year; in Perry county on the first Mondays of February, May, August and November, of each year.

SEC. 2. The courts in Warrick county shall last four weeks, if the business thereof require it, except the June term, which shall last three weeks, if the business thereof require it; the courts in Spencer county shall last four weeks, if the business thereof require it, except the July term, which shall last three weeks, if the business thereof require it; the courts in Perry county shall last three weeks, if the business thereof require it, except the August term, which shall last two weeks, if the business thereof require it.

SEC. 3. Process returnable to the next terms of said court, as heretofore provided by law, is hereby made returnable to the next terms, respectively, of said courts, as fixed by this act, and all orders of courts, recognizances and publications, having reference to the next terms of said courts, shall be taken as having reference to said terms respectively as fixed by this act, and all persons shall take notice of the times of holding said courts, as herein provided.

SEC. 4. All laws or parts of laws coming in conflict with this act are hereby repealed.

SEC. 5. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in force from and after its passage.

When said bill is so amended we recommend the passage of the bill.

Respectfully,

COMPTON,  
Chairman.



Senator Magee, from the Committee on Corporations, on Senate Bill No. 39, reported as follows:

MR. PRESIDENT:

Your Committee on Corporations, to whom was referred Senate Bill No. 39, reports that they have had the same under consideration, and a majority of said committee recommend that said bill do pass.

RUFUS MAGEE,  
Chairman.

Senator Youche, from the Committee on Organization of Courts, on Senate Bill No. 170, reported as follows:

MR. PRESIDENT:

Your Committee on Organization of Courts, to whom was referred Senate Bill No. 170, being "A bill to create the Forty-fourth Judicial Circuit, etc.," have had the same under consideration, and recommend that the title of the bill be stricken out and the following be inserted in lieu thereof:

"An act fixing the times of holding Circuit Courts in the Twenty-second Judicial Circuit of the State of Indiana, prescribing the length of terms thereof, and repealing all laws in conflict herewith, and declaring an emergency."

That all after the enacting clause be stricken out, and the following be substituted in lieu thereof:

That the circuit in the Twenty-second Judicial Circuit of the State of Indiana shall be held as follows, to-wit:

In the county of Parke, the first Monday in February, the fourth Monday in April, the first Monday in September, and the fourth Monday in November of each year.

In the county of Montgomery on the Mondays succeeding the courts in the county of Parke.

The length of the terms in the county of Parke shall be three weeks, if the business thereof shall require it, and in the county of Montgomery seven weeks, if the business of said court shall require it: *Provided*, That the first term of court which shall be held under this act shall be held in the county of Montgomery, commencing on Monday, the 26th day of Feb-



ruary, 1883: *And provided further*, That the term of court in session in Montgomery county at the taking effect of this act shall continue until the 26th day of February, 1883.

SEC. 2. All writs, subpoenas, rules, order of court, recognizances, publications and process heretofore made, or which may hereafter be made or issued, having reference to, or returnable at, the next term of said courts, as heretofore provided by law to be held, shall be deemed and taken as having reference to, and being returnable at, the next term of said courts to be held as provided in this act.

SEC. 3. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

SEC. 4. It is hereby declared that an emergency exists for the taking effect of this act, the same shall therefore be in force from and after its passage.

I. M. COMPTON,  
Chairman.

Senator Ristine moved to take up Bill No. 170.

It was so ordered.

The bill was read a second time, with the report of the committee thereon.

The report of the committee was concurred in.

The bill was ordered engrossed.

Senator Overstreet, from the Committee on Organization of Courts on House Bill No. 231, reported as follows:

MR. PRESIDENT:

Your Committee on Organization of Courts, to whom was referred House Bill No. 231, having duly considered the same, beg leave to report said bill back to the Senate that it be amended by striking out "December," in section 12, and by inserting "January;" also, by striking out the emergency clause, and when said bill is so amended we recommend its passage.

Respectfully submitted,

I. M. COMPTON,  
Chairman.



Senator Howard, from the Committee on Military Affairs, on Senate Bill No. 90, reported as follows:

MR. PRESIDENT:

Your Committee on Military Affairs, having had Senate Bill No. 90 under consideration, beg leave to report a majority favoring that it do pass.

T. M. HOWARD,  
Chairman.

Senator Richardson, from the Committee on Organization of Courts, on Senate Bill No. 161, reported as follows:

MR. PRESIDENT:

Your Committee on Organization of Courts, to whom was referred Senate Bill No. 161, having duly considered the same, beg leave to report said bill back to the Senate with a recommendation that it be indefinitely postponed.

Respectfully submitted,

I. M. COMPTON,  
Chairman.

Senator Compton, from the Committee on Organization of Courts, reported House Bill No. 32, and made the following report:

MR. PRESIDENT:

Your Committee on Organization of Courts, to whom was referred House Bill No. 32, having duly considered the same, beg leave to report said bill back to the Senate favorable.

Respectfully submitted,

I. M. COMPTON,  
Chairman.

Unanimous consent was given that the bill be read a second time.

The report was concurred in.

The bill was read a second time.



Senator Bundy moved that Executive appointments be taken from the committee, and demanded the previous question.

The demand for the previous question was seconded.

The question being, Shall the main question be put?

It was so ordered.

The question being, Shall the appointments be withdrawn?

The ayes and nays were demanded by Senators Brown and Bundy, and were taken with the following result:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Graham, Keiser, Lockridge, Lindley, Macartney, Magee, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 20.

Those voting in the negative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson and Voyles. Total, 24.

So the motion was lost.

Senator Henry stated that he was paired with Senator Smith, of Jay, and declined to vote.

Senator Johnson stated that he was paired with Senator Foulke, and declined to vote.

Senator Graham, from the Select Committee on Senate Bill No. 275, reported as follows:

**MR. PRESIDENT:**

Your committee to whom was referred Senate Bill No. 275, recommend that said bill be amended by adding the following new section, to-wit:

**SEC. 5.** All laws in existence at the time this act takes effect, requiring any of the officers herein named to keep cash books are hereby repealed, because of their inconsistency with



this act. When said bill is so amended we recommend that said bill do pass.

GRAHAM.

Unanimous consent was given to read the bill a second time.

The bill was read a second time, with the report of the committee thereon.

The question being, Shall the report be concurred in?

It was concurred in.

The bill was ordered engrossed.

Senator Hill, from the Committee on County and Township Business, on Senate Bill No. 18, reported as follows:

MR. PRESIDENT:

A majority of your Committee on County and Township Business, to whom was referred Senate Bill No. 18, beg leave to report that they have had the same under consideration, and would respectfully recommend the passage of said bill.

JAMES HILL,  
Chairman.

Senator Keiser, from the Committee on Phraseology, on Engrossed Senate Bill No. 47, reported as follows:

MR. PRESIDENT:

Your Committee on Phraseology, etc., recommend that the title of Senate Bill No. 47 be amended to read as follows: "A bill for an act to amend an act entitled 'An act to establish public libraries,' " etc.

Respectfully,

KEISER.

The report was concurred in.

Senator Sayre was given unanimous consent to take up Senate Bill No. 57, which was read the second time, with the report of the committee thereon.

The report of the committee was concurred in, and the bill was ordered to be engrossed.



Senator Henry moved that the constitutional rule be suspended, that Senate Bill No. 162 be taken up, read a second time by title, a third time by sections, and placed upon its passage.

The ayes and nays being taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Graham, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Van Vorhis, Voyles, White, Willard and Youche. Total, 45.

No vote in the negative.

So the constitutional rules were suspended.

The bill was read a second time by title, with the report of the committee thereon.

The report of the committee was concurred in.

The bill was ordered considered engrossed.

The bill was read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Van Vorhis, White, Willard and Youche. Total, 43.

No one voting in the negative.

So the bill passed.



The title was referred to a committee of one, Senator Henry, to report on this afternoon.

Senator Adkinson was given unanimous consent to take up Senate Bill No. 114, which was read a second time, with the report of the committee thereon.

The report of the committee was concurred in.

Senator Macartney offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 114 by striking out section 2, the emergency clause.

MACARTNEY.

Which was adopted.

The bill was ordered engrossed.

Senator Hutchinson was given unanimous consent to take up Senate Bill No. 17.

Which was taken up and read a second time, with the report of the committee thereon.

The report of the committee was concurred in.

The bill was ordered engrossed.

Senator Henry, on Senate Bill No. 162, made the following report:

MR. PRESIDENT:

I move to amend the title of Senate Bill No. 162 to read as follows:

“A bill for an act concerning deeds executed by administrators, executors, guardians, sheriffs and commissioners of court, and certified transcripts of judgments of partition, and the records thereof, and their use in evidence, and declaring an emergency.”

HENRY.

The report was concurred in.

On motion of Senator Bell, the Senate adjourned.



## AFTERNOON SESSION.

FEBRUARY 13, 1883.

Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

Senator Bell moved that the Senate resolve itself into Committee of the Whole, for consideration of House Bill No. 302.

It was so ordered.

The Senate went into Committee of the Whole, with Senator Bell in the Chair.

The Committee rose, and the following message was received from the House at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Senate Bill No. 1, and House engrossed amendment thereto, providing for the better government and management of the Hospital for the Insane, the Asylum for the Blind and the Institution for the Deaf and Dumb, and the same is returned to the Senate for further action thereon.

EDWINS,  
Principal Clerk of the House.

Senator Brown moved that the bill be taken up and the amendment proposed by the House be considered, and on that motion demanded the previous question.

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard,



Hutchinson, Johnston, Johnson, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 27.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Magee, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 22.

, Senator Smith, of Jay, moved that the roll be called for verification.

It was so ordered, and the vote verified.

The President decided the motion rejected.

Senator Bundy moved that the Senate go into Committee of the Whole.

Senator Brown arose to a question of privilege, and asked an appeal from the decision of the Chair.

When Senator Bundy yielded to Senator Bell, who moved that Senate Bill No. 1, with the message from the House and the proposed amendment thereon, be made a special order for to-morrow at 10:30 A. M.

It was so ordered.

On motion of Senator Bell the Senate went into Committee of the Whole.

Senator Bell, from Committee of the Whole, reported progress.

Leave was granted for the committee to sit again next Thursday at 2 P. M.

It was so ordered.



Senator Ernest, from the Committee on Enrolled Bills, on Senate Bill No. 130, reports as follows:

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Senate Bill No. 130 with Engrossed Senate Bill No. 130, and find that the same has been correctly engrossed.

JOSHUA ERNEST,  
Chairman.

The report was concurred in.

Senator Henry, from the Committee on Phraseology on Senate Bill No. 57, reported as follows:

MR. PRESIDENT:

The Committee on Phraseology, etc., have examined Senate Bill No. 57, and have instructed me to report the same back without recommending any change.

HENRY.

Senator Smith of Jay, from same committee, reported as follows on Engrossed Senate Bill 170:

MR. PRESIDENT:

Your committee, to whom was referred Engrossed Bill No. 170, have had the same under consideration, and a majority of said committee have directed me to return the same, recommending no change in phraseology of the bill.

SMITH.

The report was concurred in.

Senator McClure, from the select committee on Senate Bill No. 120, reported as follows:

MR. PRESIDENT:

The special committee, to which was referred Senate Bill No. 120, have examined the same, and recommend that the first section of said bill be amended by striking out all after the en-



acting clause, and inserting in lieu of said first section these words:

“Sections fifth, sixth, seventh and eighth of an act entitled, an act amendatory of the charter of the town of Clarksville, in Clark and Floyd counties, approved June 17, 1852, are hereby repealed.”

Also, that the title be amended thus:

“An act to repeal sections fifth, sixth, seventh and eighth of an act entitled an act amendatory of the charter of the town of Clarksville, in Clark and Floyd counties, approved June 17, 1852, and to provide for the platting and incorporation of towns and cities on the outlots of Clarksville.”

When so amended, we recommend that the bill do pass.

D. McCLURE,

Chairman of Committee.

Senator Hilligass was given consent to introduce Senate Bill No. 279, entitled:

A bill for an act for the relief of Weems Heagg, formerly Treasurer of Madison county, Indiana, and Simon M. Cox, Joel Eipperly, and Lewis Loeb, William Kirk, Samuel Fesler, Joe A. Pence, Isaac D. Forest, George Heagg, William G. Pittsford, Albert J. Ross, Samuel Pence, Lee M. Trees, Michael Ryan, Adam Mason, Elijah J. Waldron, Anthony Mabbitt, Jesse Vermillion, and the estate of Milton Kidwell, and Jacob Fuller, deceased, sureties upon his bond as such Treasurer.

Which was read a first time, and referred to the Committee on Finance.

Senator Smith, of Jay, from the Committee on Phraseology, on Senate Bill No. 43, reported as follows:

MR. PRESIDENT:

Your Committee on Phraseology would respectfully report that they have had under consideration Senate Bill No. 43, and find that the same is correctly engrossed.

WILLARD.

The report of the committee was concurred in.



Senator Magee moved to take up Senate Bill No. 78.

It was so ordered.

Senate Bill No. 78 was read a second time, with the report of the committee thereon, as follows:

MR. PRESIDENT:

Your Committee on the Judiciary, to whom was referred Senate Bill No. 78, introduced by Senator Magee, upon the subject of the selection of a Chief of the Bureau of Statistics, having had said bill under advisement, a majority of said committee have instructed me to return the bill to the Senate, with a recommendation that said bill be amended by adding to the bill, after the word "Governor," in line 47, the following words: "The first election of such Chief shall be held upon the taking effect of this act," and when the bill is so amended, it should pass.

VOYLES.

The report of the committee was adopted, and the bill ordered to be engrossed.

Senator Spann moved that the Senate adjourn.

The ayes and nays were demanded.

Pending roll call the motion was withdrawn.

Senator Graham moved that the Senate adjourn.

The motion was rejected.

Senator Spann moved to amend the bill by striking out all after the enacting clause, as follows:

MR. PRESIDENT:

I move to strike out all after the enacting clause.

SPANN.

The motion failed.



Senator Spann moved that the Senate adjourn.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senator Adkinson, Bichowsky, Bundy, Campbell, Fleming, Fletcher, Foulke, Henry, Lockridge, Lindley, Marvin, Overstreet, Ristine, Smith of Delaware, and Spann. Total, 14.

Those voting in the negative were:

Senators Bell, Benz, Compton, Davidson, Duncan, Ernest, Hill, Hilligass, Hoover, Johnston, Johnson, Magee, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 22.

So the motion was rejected.

The President of the Senate announced having signed enrolled act No. 32.

Senator Willard demanded the previous question on the engrossment of Senate Bill No. 78.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Compton, Davidson, Duncan, Ernest, Fletcher, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 25.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Henry, Overstreet and Ristine. Total, 8.

The Chair announced no quorum voting.



Senator Spann moved that the Senate adjourn.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Marvin, Overstreet, Ristine, Sayre, Smith of Delaware, Spann and Van Vorhis. Total, 14.

Those voting in the negative were:

Senators Bell, Benz, Compton, Davidson, Duncan, Ernest, Fletcher, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Magee, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 23.

So the motion to adjourn was rejected.

Senator Willard asked that the roll be called again on his motion for the previous question, the last vote having shown a quorum present.

It was so ordered, and resulted as follows.

Those voting in the affirmative were:

Senators Bell, Benz, Compton, Davidson, Duncan, Ernest, Fletcher, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 25.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Lockridge, Lindley, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White and Yancey. Total, 19.

Senator Spann moved that the roll be called for verification.

The ayes and nays were demanded by Senators Spann and Bundy.

The demand was withdrawn.



The roll was ordered called for verification, and the vote was verified.

So the motion for the previous question was seconded.

Senator Spann moved that the Senate adjourn.

The ayes and nays were demanded.

Senator Bell rose to a point of order, that a motion to adjourn can not be entertained when acting under previous question.

It was sustained.

The question being, Shall the main question be put?

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Compton, Davidson, Duncan, Ernest, Fletcher, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 25.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 21.

It was so ordered.

The question being on the amendment offered by Senator Spann:

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macart-



ney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 21.

Those voting in the negative were :

Senators Bell, Benz, Compton, Davidson, Duncan, Ernest, Fletcher, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 25.

The amendment was rejected.

The question being, shall the bill be engrossed?

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Compton, Davidson, Duncan, Ernest, Fletcher, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 25.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 21.

The bill was ordered engrossed.

Senator Spann moved to take up Senate Bill No. 1.

When Senator Bell moved that the Senate adjourn.

The ayes and nays were demanded and taken, and resulted as follows :

Those voting in the affirmative were :

Senators Bell, Benz, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Hill, Hilligass, Hoover, Hutchinson,



Johnston, Johnson, Lindley, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, and Voyles. Total, 27.

Those voting in the negative were :

Senators Bichowsky, Bundy, Graham, Henry, Keiser, Lockridge, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Willard, Yancey and Youche. Total, 17.

So the motion was adopted, and the Senate adjourned.

THOMAS HANNA,  
President of the Senate.



## WEDNESDAY MORNING.

FEBRUARY 14, 1883.

Senate met at 10 o'clock, Lieutenant Governor Hanna in the Chair.

Prayer was offered by the Rev. A. H. Carrier, Pastor of the Fourth Presbyterian Church, Indianapolis.

The reading of the Journal was being proceeded with when, on motion of Senator Benz, its further reading was dispensed with.

The following communications were submitted by the President of the Senate.

MERCHANTS' EXCHANGE OF SAINT LOUIS, }  
St. Louis, February 9, 1883. }

DEAR SIR—At a meeting of the Board of Directors held this day, the following resolutions were unanimously adopted:

WHEREAS, The importance to the whole country of continuing the work of the improvement of the Mississippi river, in the interest of cheap transportation, is a matter of National interest; therefore, be it

*Resolved*, That the General Assembly of the State of Missouri be and is hereby requested to adopt a joint resolution, instructing our Senators and requesting our Representatives in Congress to sustain the plans of the Mississippi River Commission, and to further request them to use their best endeavors to secure the appropriations necessary to carry out the recommendations of the Commission for the next fiscal year.

*Resolved*, That the President and Secretary of this Exchange be and are hereby instructed to send a copy of these resolutions to the Governors and presiding officers of the Legislatures of all the States throughout the Mississippi Valley, and to the Boards of Trade and similar organizations interested in the



successful improvement of our Western water ways, and invite their co-operation in such action as will unite the influence and power of the States in the Valley in support of the River Commission, as the best means whereby cheap transportation by water can be obtained.

Respectfully submitted,

J. C. EWALD, President.

Attest: GEO. H. MORGAN, Secretary.

Which was read and referred to the Committee on Federal Relations.

The President submitted the following communication :

At a meeting of the Board of Aldermen of the city of Indianapolis, held in the Aldermanic Chamber, January 22, 1883, the following motion was unanimously adopted:

“The members of the Legislature are hereby requested to pass no law that will authorize any city of thirty thousand population and over to levy taxes in excess of ninety (90) cents on each one hundred dollars taxables, *for any purpose whatever.*”

I, the undersigned, as Clerk of the Board of Aldermen, do hereby certify the foregoing to be a true and correct copy of the motion, as passed said Board.

[L. s.]

GEO. T. BREUNIG,  
Clerk.

Which was read and referred to the Committee on County and Township Business.

Senator Ernest, from the Committee on Enrolled Bills on Senate Bill No. 32, reported as follows :

MR. PRESIDENT :

The Committee on Enrolled Bills have presented to the Governor Senate Bill No. 32.

JOSHUA ERNEST,  
Chairman.

February 13, 1883.



Senator White called up Engrossed Senate Bill No. 145, and was given unanimous consent to make the following correction of the bill:

MR. PRESIDENT:

I move to amend section 1, line 29, as follows:

Strike out the words "and provided," and insert "or" in lieu thereof.

WHITE.

The question being, Shall the bill pass?

The ayes and nays were taken with the following result:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Fleming, Fletcher, Henry, Hill, Hilligass, Howard, Hutchinson, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, Overstreet, Rahm, Ristine, Sayre, Smith of Delaware, Spann, White, Willard and Youche. Total, 33.

Those voting in the negative were:

Senators Faulkner, Graham, Hoover, Johnston, May, McClure, McCulloch, McIntosh, Null, Smith of Jay, Voyles and Yancey. Total, 12.

So the bill passed.

The title was adopted as read.

Senator Spann called up special order Senate Bill No. 1, and the message from the House connected therewith was read.

When Senator Spann offered the following motion:

MR. PRESIDENT:

I move that the Senate refuse to concur to the amendment, as made by the House, to Senate Bill No. 1, and that there be a committee of conference appointed to confer with a committee of the House.

SPANN.



The question being, Shall the motion be adopted?

Senator Brown offered the following as a substitute for the motion :

I offer the following as a substitute for the motion of the Senator from Rush :

I move that the Senate concur in the amendment made to the bill by the House of Representatives.

BROWN.

Senator Brown moved its adoption and demanded the previous question.

The ayes and nays were demanded by Senators Brown and Benz, and being taken, resulted as follows :

Those voting in the affirmative were :

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 28.

Those voting in the negative were :

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, White, Yancey and Youche. Total, 20.

So the demand was seconded.

The question being, Shall the main question be put?

It was so ordered.

The question being on the adoption of the substitute of Senator Brown.

The ayes and nays were demanded and taken, and resulted as follows :

Those voting in the affirmative were :

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard,



Hutchinson, Johnston, Johnson, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 27.

Those voting in the negative were :

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Magee, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, White, Yancey and Youche. Total, 21.

So the substitute was adopted.

The question being, Shall the amendment of the House be concurred in ?

The ayes and nays were demanded by Senators Bundy and Brown, and taken, with the following result :

Those voting in the affirmative were :

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 27.

• Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Magee, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, White, Yancey and Youche. Total, 21.

So the amendment of the House was concurred in.

Senator Spann moved that the Senate adjourn.

The ayes and nays were demanded by Senators Spann, Yancey, Foulke, Sayre and Graham.

Senator Spann withdrew the motion.



Senator Brown moved to reconsider the vote by which the House amendment to Senate Bill No. 1 was concurred in, and to lay that motion on the table.

The ayes and nays were demanded by Senators Brown and Yancey, and being taken, resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 28.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, White, Yancey and Youche. Total, 20.

So the motion was adopted.

Senator Campbell moved that Senate Bill No. 247 be taken up, the constitutional rules be suspended, the bill be read a second time by title, considered engrossed, read a third time by sections and placed upon its passage.

On which the ayes and nays were taken, with the following result:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Hilligass, Hoover, Keiser, Lockridge, Lindley, Macartney, McCulloch, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 28.



Those voting in the negative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Hill, Howard, Johnston, Johnson, Magee, Marvin, May, McClure, McIntosh, and Smith of Jay. Total, 17.

So the motion was rejected.

The following messages were received from the House, at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Bill No. 133, providing for a Metropolitan Police, and other matters connected therewith, and declaring an emergency, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Also, the following:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Engrossed House Bill No. 408, in relation to the common school system of the State, and other matters connected therewith, and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Senator Willard, on Engrossed Senate Bill No. 167, reported as follows:

MR. PRESIDENT:

Your Committee on Phraseology, to whom was referred Engrossed Senate Bill No. 167, have had the same under consideration, and would respectfully report that the same is correctly engrossed.

WILLARD.

The report was concurred in.



Engrossed Senate Bill No. 48 was taken up.

● The question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Thos voting in the affirmative were:

Senators Bell, Benz, Bichowsky, Campbell, Compton, Ernest, Fletcher, Foulke, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lindley, Macartney, Magee, Marvin, May, Null, Overstreet, Rahm, Richardson, Ristine, Spann, White, Willard, Yancey and Youche. Total, 30.

Those voting in the negative were:

Senators Adkinson, Bundy, Davidson, Duncan, Faulkner, Fleming, Graham, Henry, Lockridge, McClure, McCulloch, McIntosh, Sayre, Smith of Delaware, and Van Vorhis. Total, 15.

So the bill passed.

The title was adopted as read.

Engrossed Senate Bill No. 62 was taken up.

The question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Bichowsky, Campbell, Davidson, Fleming, Fletcher, Henry, Hilligass, Hoover, Hutchinson, Lockridge, Marvin, Overstreet, Rahm, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White and Yancey. Total, 21.

Those voting in the negative were:

Senators Adkinson, Benz, Compton, Duncan, Ernest, Faulkner, Foulke, Graham, Hill, Howard, Johnston, Johnson, Lindley, Macartney, May, McClure, McCulloch, McIntosh, Null, Richardson, Voyles and Youche. Total, 22.

So the bill failed to pass.



Senator Johnston, from the Committee on the Journal, reported as follows:

MR. PRESIDENT:

We, the Committee on Supervision and Inspection of the Journal, beg leave to make the following report:

We have examined the Senate Journal of Friday, February 9, 1883, and find an omission on page 30, in the report of Senator Voyles, on Senate Bill No. 243, the report concluding as follows: "With the recommendation that it," not saying, "do pass, do lie on the table, or that it be indefinitely postponed." After another page and report intervening, we find, at the top of page 32, the words "do pass. S. B. Voyles." Also, at the top of page 55, "failed to pass," should be "passed." On page 76, "Jurisdiction," we think, means "Judiciary."

COLUMBUS JOHNSTON,  
Acting Chairman.

Senator Van Vorhis moved to refer the report back to the committee.

Senator Bell moved to amend by adding Senator Bundy to the committee, as he was the author of the bill.

It was adopted.

The motion as amended was adopted.

Senator Smith, of Jay, from the Committee on Phraseology:

MR. PRESIDENT:

Your committee, to whom was referred Engrossed Bill No. 17, have had the same under consideration, and find the same correctly engrossed.

SMITH.

The report was concurred in.

On motion of Senator Van Vorhis the Senate adjourned.



## AFTERNOON SESSION.

FEBRUARY 14, 1883.

Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

Senator Smith, of Jay, from Committee on Phraseology, on Engrossed Senate Bill No. 78, reported as follows:

MR. PRESIDENT:

Your committee, to whom was referred Engrossed Bill No. 78, have had the same under consideration, and find the same correctly engrossed.

SMITH.

Senator Smith, of Jay, from same committee, on Enrolled Senate Bill No. 114, reported as follows:

MR. PRESIDENT:

Your committee to whom was referred Engrossed Bill No. 114, have had the same under consideration, and find the same correctly engrossed.

SMITH.

Senator Smith, of Jay, from the same committee, reported as follows on Engrossed Senate Bill No. 139:

MR. PRESIDENT:

Your committee to whom was referred Engrossed Bill No. 139, have had the same under consideration, and find the same correctly engrossed.

SMITH.

The reports were concurred in.



Senator Bell, from the Committee on Railroads, on Senate Bill No. 19, reported as follows: •

MR. PRESIDENT:

The Committee on Railroads, to whom was referred Senate Bill No. 19, have had the same under consideration, and the committee have directed me to return the bill, with the recommendation that it lie on the table.

R. C. BELL,  
Chairman.

Senator Bell moved that said bill be made a special order of business for next Tuesday, at 10:30 o'clock in the morning.

It was so ordered.

Senator Bell gave notice that to-morrow he would move to amend the Senate rule to read to meet at 9:30 A. M., and 1:30 P. M., as follows:

MR. PRESIDENT:

I move to amend Senate rule No. 1 so as to read as follows: The President shall take the Chair every day precisely at 9:30 o'clock in the forenoon, and at 1:30 o'clock in the afternoon, unless the Senate shall, by motion, have adjourned to some other hour appointed by such motion. He shall immediately call the Senators to order, and on the appearance of two-thirds, shall cause the Journal of the preceding day to be read.

BELL,  
Allen and Whitley.

Senator Brown, from the Committee on Railroads, on Senate Bill No. 138, reported as follows:

MR. PRESIDENT:

Your Committee on Railroads, to whom was referred Senate Bill No. 138, reports that they have had the same under consideration, and a majority of your committee recommend that

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all of said bill, after the enacting clause be stricken out, and that the substitute herewith returned be inserted in lieu thereof, and, when so amended, that it do pass.

JASON B. BROWN,  
Chairman.

Substitute referred to in the foregoing report:

SECTION 1. When, and in any case, two or more railroads, crossing each other at a common grade, shall, by a system of interlocking or automatic signals, or by any works or fixtures, to be erected by them, render it safe for engines and trains to pass over such crossing without stopping, and such works and fixtures shall first be approved by the Auditor of State, and the plan of said works and fixtures for such crossing, designating the place of crossing, shall have been filed with the Auditor of State, then, and in that case, it is hereby made lawful for the engines and trains of such railroad or railroads to pass over said crossing without stopping; any law, or the provisions of any law, now in force, to the contrary notwithstanding. And all such other provisions and laws, contrary hereto, are hereby declared not to be applicable in such case: *Provided, however,* That if the Auditor of State shall disapprove such plans, or fail to approve the same within twenty days after the filing thereof, the railroad company or companies interested or applying for such privilege may appeal therefrom, and apply to the Circuit Court of the county wherein such crossing is located, or the judge thereof in vacation, and the Auditor shall certify his proceedings and transmit the same, together with all the papers therein to such Court, and such Court, or Judge in vacation, shall take jurisdiction thereof, and proceed to hear and determine the same.

SECTION 2. The Auditor of State, or in case of an appeal, the Court or Judge, if either deem it advisable, may appoint a competent civil engineer to examine such proposed plan, and report the result of such examination for the information of such Auditor, Court or Judge.

SECTION 3. The Auditor shall be allowed for his services, ten dollars for every day in which he shall be engaged in such duty, and the engineer shall be allowed such reasonable sum as



the Auditor, Court or Judge shall award; and all costs and expenses shall be paid by the railroad company or companies in interest, which shall be taxed, paid, or collected as in other cases.

SECTION 4. Whereas, an emergency exists for the immediate taking effect of this act, therefore the same shall take effect and be in force from and after its passage.

Senator Willard moved to take up Senate Bill No. 6, on third reading.

It was so ordered.

The bill was read a third time.

The question being, Shall the bill pass?

Senator Bundy made the following motion:

MR. PRESIDENT:

I move to recommit Senate Bill No. 6 to the Senator from Crawford, the Senator from Washington, and the Senator from Madison, as a special committee, with instructions to strike out section 37, being the emergency clause, and to put in the bill the amendments which were adopted and omitted in the engrossment of the bill.

BUNDY.

Senator Henry offered the following as a substitute:

MR. PRESIDENT:

I move to recommit the bill to a special committee of one, with instructions to amend the same, as follows:

Strike out of section 1 the following words:

*“And provided further, That Superintendents now acting shall continue in office until said biennial election, to take place on the first Monday in April, 1884.”*

And also the following words:

*“This act shall not take effect until the first Monday in April, 1884.”*



And add to the said section the following words:

“And shall appoint supervisors therefor, to hold their office until their successors are elected and qualified,” and to strike out of section 16 the following words: “Unless he should deem them unreasonable, in which case he may reduce the amount,” and to insert in the bill the sections offered by the Senator from Washington, as amended by the Senator from Madison, as follows:

SEC. 36. For the purpose of working and keeping the streets, alleys and roads, within the limits of incorporated towns, in repair and good condition, and for raising money and applying the same thereon, the Boards of Trustees of such towns are hereby invested with the same power, and are required to perform similar duties within their respective towns, as are given by this act to Township Trustees. And Town Marshals are hereby invested with the same power, and are required to perform similar duties as are by this act given to Road Supervisors, to be exercised within their respective towns.

SEC. 37. All road money or funds heretofore raised, distributed or undistributed, under any law heretofore passed, shall, if unexpended, be turned over to Township Trustees upon the taking effect of this act; and in case of towns, such money shall be turned over to the treasurer to be expended under the provisions of this act.

SEC. 38. Residents of towns and cities, subject to road work, shall not be subject to the provisions of this act, except that the respective Boards of Trustees of towns, and the Common Council of cities may require them to work within the corporate limits of their respective towns and cities; and tax levies to be made under the provisions of this act by Township Trustees shall not apply to or affect any property within the corporate limits of any city or town, and any tax levy to be made under this act by the Board of Town Trustees shall not apply to any property outside of such towns. This act shall not affect any existing law which authorizes cities and towns to raise money, and make application thereof upon the streets and alleys thereof; and cities and towns shall have the same power and authority over its streets and alleys as if this act had not been passed.



On the question, Shall the substitute be adopted?

The ayes and nays were demanded by Senators Spann and Hilligass, and were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Compton, Davidson, Duncan, Faulkner, Foulke, Henry, Hill, Hilligass, Hoover, Hutchinson, Johnston, Lockridge, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Sayre, Smith of Jay, Voyles, White, Willard and Youche. Total, 31.

Those voting in the negative were:

Senators Bell, Bundy, Campbell, Ernest, Fleming, Fletcher, Graham, Johnson, Keiser, Lindley, Macartney, Ristine, Smith of Delaware, Spann and Van Vorhis. Total, 15.

Adopted and ordered to be substituted.

The question being, Shall the substitute be adopted?

It was adopted.

The bill was recommitted to Senator Benz, with above instructions, as such committee of one.

The following message was received from the House at the hands of the Principal Clerk thereof:

**MR. PRESIDENT:**

I am instructed by the House to inform the Senate that the House has passed House Bill No. 414, appropriating forty thousand dollars for the relief of the sufferers on the Ohio river, the Wabash river and the White river, in Indiana, and declaring an emergency, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.



Senator Ernest, from the Committee on Enrolled Bills on Senate Bill No. 1, reported as follows :

MR. PRESIDENT :

The Committee on Enrolled Bills have compared engrossed Senate Bill No. 1 with enrolled No. 1 Senate, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

The President announced having signed Senate Enrolled Act No. 1.

Senator McIntosh moved to take up engrossed House Bill No. 414, a bill making an appropriation of \$40,000 for the relief of the sufferers on the Ohio, Wabash and White rivers by the recent floods, to suspend the constitutional rule, that it be read a first time by sections, a second time by title, considered engrossed, be read a third time by sections, and placed upon its passage.

The ayes and nays were taken with the following result :

Those voting in the affirmative were :

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White and Willard. Total, 44.

No Senator voted in the negative.

So the constitutional rule was suspended.

The bill was read a first time by sections.

The bill was read a second time by title.



Senator Spann offered the following amendment to section 2.

MR. PRESIDENT:

I move to amend section 2 by adding, "and Lieutenant Governor," after the word "Governor."

SPANN.

Which was adopted.

Senator Willard offered the following amendment to section 2:

Amend section 2 by striking out the words "forty thousand" and inserting the words "fifty thousand."

WILLARD.

The question being on the adoption of the amendment proposed by Senator Willard:

The ayes and nays were demanded by Senators Willard and Benz, and taken, with the following result:

Those voting in the affirmative were:

Senators Keiser, McClure, McIntosh, Rahm, Richardson, Voyles and Willard. Total, 7.

Those voting in the negative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Hill, Hilligass, Hoover, Johnston, Johnson, Lockridge, Lindley, Macartney, Magee, Marvin, May, McCulloch, Null, Overstreet, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, White and Youche. Total, 37.

So the amendment was lost.

Senator Foulke offered the following amendment:

I move to amend said bill by adding to the end of section 1 the following words:

*Provided*, That no more than \$5,000 be appropriated for relief of sufferers by the overflow of Wabash and White rivers.



The question being on the motion for its adoption, it was rejected.

Senator Marvin moved to strike out the words "Wabash and White rivers" from the bill.

It was rejected.

The bill was ordered considered engrossed.

The bill was read a third time, and the question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, May, McClure, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Van Vorhis, Voyles, White and Willard. Total, 39.

Those voting in the negative were:

Senators Duncan, Magee, Marvin, McCulloch, Smith of Jay, Spann and Youche. Total, 7.

So the bill passed.

The title was adopted as read.

Senator Spann moved that the Senate adjourn.

Which was rejected.

Senator Bell moved that Senate Bill No. 87 be made a special order for to-morrow at 9:30 A. M.

It was so ordered.

Senator Spann moved that the Senate adjourn.

Which was rejected.



Senator Benz, from the Special Committee on Senate Bill No. 6, reported as follows:

MR. PRESIDENT :

Your Committee to whom was referred Senate Bill No. 6, with instructions, begs leave to report the same back, with the following amendments:

Amend section 1 as follows:

Strike therefrom the following words:

*“And, provided further, That superintendents now acting shall continue in office until said biennial election, to take place on the first Monday in April, 1884.”*

And also the following words:

*“This act shall not take effect until the first Monday in April, 1884.”*

And adding to the section the following words:

*“And shall appoint Supervisors therefor, to hold their office until their successors are elected and qualified.”*

And striking from section 16 the following words:

*“Unless he should deem them unreasonable, in which case he may reduce the amount.”*

And by adding to the bill, as sections, 36, 37 and 38, and changing the numbers of the two last sections to numbers 39 and 40.

SEC. 36. For the purpose of working and keeping the streets, alleys and roads, within the limits of incorporated towns, in repair and good condition, and for raising money and applying the same thereon, the Boards of Trustees of such towns are hereby invested with the same power, and are required to perform similar duties within their respective towns, as are given by this act to Township Trustees. And Town Marshals are hereby invested with the same power, and are required to perform similar duties as are by this act given to Road Supervisors, to be exercised within their respective towns.



SEC. 37. All road money or funds heretofore raised, distributed or undistributed, under any law heretofore passed, shall, if unexpended, be turned over to Township Trustees upon the taking effect of this act, and in case of towns, such money shall be turned over to the Town Treasurer, to be expended under the provisions of this act.

SEC. 38. Residents of towns and cities, subject to road work, shall not be subject to the provisions of this act, except that the respective Boards of Trustees of towns, and the Common Council of cities, may require them to work within the corporate limits of their respective towns and cities, and tax levies to be made under the provisions of this act by Township Trustees shall not apply to or affect any property within the corporate limits of any city or town, and any tax levy to be made under this act by the Board of Town Trustees, shall not apply to any property outside of such towns. This act shall not affect any existing law which authorizes cities and towns to raise money and make application thereof upon the streets and alleys thereof, and cities and towns shall have the same power and authority over its streets and alleys as if this act had not been passed.

JOHN BENZ,  
For Committee.

Senator Willard moved that the report of the committee be adopted, and the bill, as amended, considered engrossed.

It was so ordered.

Senator Graham moved that the Senate adjourn.

The motion was rejected.

Senator Willard moved the previous question on passage of Senate Bill No. 6.

It was seconded.

The question being, Shall the main question be put?

It was so ordered.

The question being, Shall the bill pass?



The ayes and nays were taken, and resulted as follows :

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Brown, Campbell, Compton, Duncan, Ernest, Faulkner, Fletcher, Foulke, Henry, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Jay, Voyles, White, Willard and Youche. Total, 39.

Those voting in the negative were :

Senators Bell, Bundy, Davidson, Fleming, Graham, Smith of Delaware, Spann and Van Vorhis. Total, 8.

So the bill passed.

Senator Voyles offered the following as an amendment for the title :

“An act providing a road working system in this State, prescribing certain duties of the officers therein named, imposing certain penalties and forfeitures, giving cities and towns the benefit of the same system of working streets and alleys, upon certain contingencies, providing for tax levy for road purposes and for the collection and application of such tax, repealing all laws in conflict with this act, abolishing the office of Township Road Superintendent, giving certain remedies, creating the office of Road Supervisor,” and declaring an emergency.

Senator Henry offered the following as a substitute for the amendment:

An act concerning highways and Supervisors thereof.

It was adopted.

The question being, Shall the substitute be adopted?

It was so ordered.

The question being, Shall the title as amended be adopted?

It was so ordered.

On motion of Senator Brown, the Senate adjourned.

THOMAS HANNA,

President of the Senate.



## THURSDAY MORNING.

FEBRUARY 15, 1883.

Senate met at 10 o'clock, Lieutenant Governor Hanna in the Chair.

Prayer was offered by Rev. S. B. Moore, of the Third Christian Church, Indianapolis.

On motion of Senator Brown, the reading of the minutes was dispensed with.

Senator Brown asked unanimous consent that Senate Bill No. 43 be taken up and read a third time.

The question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Graham, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Magee, Marvin, May, McClure, McCulloch, Null, Overstreet, Ristine, Sayre, Spann, Van Vorhis, Voyles, White and Yancey. Total, 34.

Those voting in the negative were:

Senators Benz, Hill, Macartney, McIntosh and Rahm. Total, 5.

So the bill passed.

The title adopted as read.

Senator Fleming asked leave of absence for Senator Faulkner until to-morrow afternoon, and stated that he was paired with him on all political questions.

Which was granted.



Senator Bichowsky was given consent to call up House Bill No. 32.

The bill was read a third time, and the question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Foulke, Graham, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Jay, Spann, Van Vorhis, Voyles, White, Yancey and Youche. Total, 44.

No Senator voting in the negative.

So the bill passed.

The title was adopted as read.

Senator Ernest, from the Committee on Enrolled Bills, reported as follows:

MR. PRESIDENT:

The Committee on Enrolled Bills have presented to his Excellency, Governor Porter, Senate Bill No. 1.

JOSHUA ERNEST,  
Chairman.

February 14, 1883.

Senator Hutchinson called up engrossed Senate Bill No. 17.

Which was read a third time.

The question being, Shall the bill pass?



The ayes and nays were taken with the following result :

Those voting in the affirmative were :

Senators Adkinson, Bell, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Foulke, Graham, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, McClure, McCulloch, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White, Yancey and Youche. Total, 41.

Those voting in the negative were :

Senators Hill, May and McIntosh. Total, 3.

So the bill passed.

The title was adopted as read.

Senator Bell called up the special order, being Senate Bill No. 87.

The bill was taken up.

Senator Magee moved to postpone this bill until next Tuesday, at 10:30 o'clock A. M.

Senator Spann moved, as a substitute for the motion of Senator Magee, that the bill be read a second time, with the report of the committee thereon, and be printed, and the further consideration of the bill be postponed until Tuesday, at 10:30 A. M.

Which motion was adopted.

The bill was read a second time, with the report of the committee thereon.

The following message was received from the House at the hands of the Principal Clerk thereof:

MR. PRESIDENT :

I am instructed by the House to inform the Senate that the House concurred in Senate amendment to House Bill No. 414,



and the same is hereby transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Also, the following:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Concurrent Resolution No. 11, requesting our Representatives and instructing our Senators in Congress to vote for an amount sufficient to relieve the immediate wants of the sufferers by the flood in the Ohio River, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Clerk.

Also, the following:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the Speaker has signed House Bill No. 34.

EDWINS,  
Principal Clerk.

The President of the Senate, announced that he had signed Enrolled Act of the House No. 34.

Senator Ernest, from the Committee on Enrolled Bills, reported as follows on House Bill No. 34:

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, House Bill No. 34.

JOSHUA ERNEST,  
Chairman.

February 15, 1883.



Senator Foulke called up Engrossed Senate Bill No. 47.  
Which was read a third time.

The question being, Shall the bill pass?

The ayes and nays were taken with the following result:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Bundy, Campbell, Compton, Duncan, Ernest, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hoover, Howard, Hutchinson, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, Null, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 38.

Those voting in the negative were:

Senators Davidson, Johnston, McIntosh, Smith of Jay, and Voyles. Total, 5.

So the bill passed.

The title was adopted as read.

The following message was received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the Speaker of the House has signed House Bill No. 414, and the same is referred to the Senate for further action.

EDWINS,  
Principal Clerk.

The President of the Senate announced that he had signed Enrolled Act of the House No. 414.

Senator Marvin was given consent to call up engrossed Senate Bill No. 167, which was read a third time,

The question being, Shall the bill pass?

Pending the discussion on motion of Senator Spann, the Senate adjourned.



## AFTERNOON SESSION.

FEBRUARY 15, 1883.

Senate met at 2 o'clock, Lieutenant Governor Hanna in the chair.

The question being, Shall Senate Bill No. 167 pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Campbell, Compton, Davidson, Ernest, Fleming, Fletcher, Graham, Hilligass, Hoover, Howard, Hutchinson, Johnson, Keiser, Magee, Marvin, May, McClure, Ristine, Smith of Delaware, Smith of Jay, Voyles, White, Willard, Yancey and Youche. Total, 29.

Those voting in the negative were:

Senators Bundy, Duncan, Henry, Hill, Johnston, Macartney, McIntosh, Null, Overstreet and Sayre. Total, 10.

The bill passed.

The title of the bill was adopted as read.

Senator Ristine was given consent, and called up engrossed Senate Bill 170, which was read a third time.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet,



Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 44.

No vote in the negative.

So the bill passed.

The title was adopted as read.

Senator Smith, of Jay, was given unanimous consent to offer Senate Bill No. 280, entitled:

A bill for an act to amend sections 8, 29, 88 and 25 of an act entitled "An act dividing the State into counties, defining their boundaries, and defining the jurisdiction of such as border on the Ohio and Wabash rivers," approved June 7, 1852, (Revised Statutes 1881, section 4204), and supplemental thereto, providing for the collection of certain taxes, the copying, certifying and filing certain records, and concerning certain judgments, orders and decrees, and declaring an emergency.

Which was read a first time and referred to a special committee of three.

On motion of Senator Spann the Senate went into the Committee of the Whole, on consideration of House Bill No. 302, agreeable to a special order, Senator Bell in the Chair.

Senator Bell, from the Committee of the Whole, reported progress, and asked leave to sit again to-morrow at 2 o'clock P. M.

Senator McIntosh was given consent and called up House Concurrent Resolution No. 11, as follows:

WHEREAS, The waters of the Ohio river, along its entire length, have flooded the lands upon its borders, thereby driving from their homes more than 100,000 of the people residing thereon, leaving them homeless, helpless, hungry and suffering, and believing it to be the duty of the greatest nation on earth to provide for their temporary necessities; therefore be it

*Resolved by the House of Representatives, the Senate concurring,*  
That our Representatives be requested, and our Senators in



Congress be instructed, to vote an appropriation by Congress of a liberal amount to be used for the relief of the immediate wants of the distressed.

Senator McIntosh moved that it be adopted.

The question being, Shall the concurrent resolution be adopted?

It was so ordered.

Senator Bell, in accordance with his notice of yesterday that he would move an amendment to the rules governing the Senate, offered the following:

MR. PRESIDENT :

I move to amend Senate Rule No. 1 so as to read as follows:

The President shall take the Chair every day precisely at 9:30 o'clock in the morning, and 1:30 o'clock in the afternoon, unless the Senate shall, by motion, have adjourned to some other hour appointed by such motion. He shall immediately call the Senators to order, and, on the appearance of two-thirds, shall cause the Journal of the preceding day to be read.

BELL,  
Allen and Whitley.

Senator Bundy moved as a substitute the following :

I move to amend by substituting 9 o'clock in the forenoon, and 2 o'clock in the afternoon.

BUNDY.

Senator Graham moved that the Senate adjourn.

Which was rejected.

The question being on the adoption of the substitute offered by Senator Bundy.

It was so ordered.

The amendment as amended by the substitute was adopted.



Senator Johnston, from the Committee on Journal reported as follows :

MR. PRESIDENT :

We, the Committee on Supervision and Inspection of the Journal beg leave to make the following report :

We have examined the Senate Journal of Saturday February 10, 1883, and find it correct.

COLUMBUS JOHNSTON,  
Acting Chairman of Committee.

On motion of Senator Henry the Senate adjourned.

THOMAS HANNA.  
President of the Senate.



## FRIDAY MORNING.

FEBRUARY 16, 1883.

The Senate met at 9 o'clock, Lieutenant Governor Hanna in the Chair.

The reading of the Journal was being proceeded with, when on motion of Senator Sayre the further reading of the minutes was dispensed with.

The President of the Senate appointed Senators Smith of Jay, Fleming and Voyles, as a special committee of three on Senate Bill No. 280, introduced by Senator Smith, of Jay, yesterday.

Engrossed Senate Bill No. 57 was read a third time.

Senator Spaun moved that a call of the Senate be made.

It was so ordered.

The call showed as present:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Macartney, Magee, Marvin, May, McIntosh, Null, Overstreet, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 41.

Those absent were:

Senators Brown, Ernest, Hill, Hostetter, Lindley, McClure, McCulloch, Rahm and Richardson. Total, 9.

When, on motion, the call of the roll was discontinued.

The question being, Shall Senate Bill No. 57 pass?



The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Foulke, Graham, Henry, Hilligass, Hoover, Howard, Johnston, Johnson, Keiser, Lockridge, Macartney, Magee, Marvin, May, McClure, McIntosh, Null, Overstreet, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White, Yancey and Youche. Total, 40.

No one voting in the negative.

So the bill passed.

The title was adopted as read.

Senator Ernest, from the Committee on Enrolled Bills, offered the following report:

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, House Bill No. 414.

JOSHUA ERNEST,  
Chairman.

February, 15, 1883.

Senate Bill No. 151 was read a second time, with the report of the committee thereon.

The report of the Committee was concurred in, and the bill was ordered engrossed.

Engrossed Senate Bill No. 52 was read a third time.

The question being, Shall the bill pass?

The ayes and nays were taken, with the following result:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Foulke, Henry, Hilligass, Hoover, Howard, Hutchinson, John-



ston, Johnson, Keiser, Lockridge, Macartney, Magee, Marvin, May, McClure, Null, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Yancey and Youche. Total, 38.

Those voting in the negative were:

Senators Benz, McIntosh and Willard. Total, 3.

So the bill passed.

The title was adopted as read.

The following message was received from the House at the hands of the Principal Clerk thereof:

MR. PRESIDENT :

I am instructed by the House to inform the Senate that the Speaker of the House has signed House Enrolled Act No. 32, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,

Principal Clerk.

The President of the Senate announced that he had signed Enrolled Act of House No. 32.

Senator Bundy offered the following concurrent resolution :

WHEREAS, The Senate has passed a bill amending the law of decedents' estates, and the House of Representatives has also passed a bill on the same subject; therefore be it

*Resolved by the Senate, the House of Representatives concurring,*  
That the Senate Special Committee and the House Special Committee on the law of decedents' estates meet together as a Committee of Conference to determine and agree upon the proper bill to pass the General Assembly.

BUNDY.

Which was adopted.



The following messages were received from the House by the hand of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Concurrent Resolution No. 9, requesting our Representatives and instructing our Senators to use their endeavors to secure the passage of a law pensioning members of the Indiana Legion, who were wounded while in the line of duty during the late war, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Also, the following:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Bill No. 51, for an act to provide for the taxation of dogs, and other matters properly connected therewith, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk of the House.

Engrossed Senate Bill No. 107 was read a third time.

The question being, Shall the bill pass?

The ayes and nays were taken, with the following result:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Van Vorhis, Voyles, White, Willard and Youche. Total, 40.

No Senator voting in the negative.

So the bill passed.

The title was adopted as read.



Engrossed Senate Bill No. 66 was being read a third time, when Senator Foulke raised a point of order that the rules of the Senate had not been complied with by referring to sections of the Revised Statutes in the bill.

Senator Bell moved that the bill be referred to Senator Foulke as a committee of one, with instructions that he make the required amendment.

It was so referred.

The following messages were received from the House at the hands of the Principal Clerk thereof.

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 29, to legalize the acts and proceedings of the Trustees of the town of Westfield, Hamilton county, Indiana, and the following amendments in relation thereto, and the same are herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

The following is the amendment referred to in the foregoing message from the House:

Engrossed House amendment to Senate Bill No. 29: Add to section 1 the following:

*Provided*, That this act shall in no manner affect suits now pending, but the same may be prosecuted and determined the same as if this act had never passed.

Also,

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Bill No. 52, to provide for the construction of a sewer from the Female Reformatory so as to



connect such sewer with one of the principal sewers of Indianapolis, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Bill No. 381, fixing the time of holding of Circuit Courts in the Forty-second Judicial Circuit, and declaring an emergency, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Bill No. 39, amending section 3 of an act in relation to the election of a Reporter of the Supreme Court, etc., and declaring an emergency, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Engrossed Senate Bill No. 130 was read a third time.

The question being, Shall the bill pass?

The ayes and nays were taken, resulting as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Bichowsky, Bundy, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure,



McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Willard and Youche. Total, 41.

No Senator voting in the negative.

So the bill passed.

The title was adopted as read.

Senator Foulke, from the special committee of one on Senate Bill No. 66, made the following report:

Your committee reports on Senate Bill No. 66:

Insert after words "1873" in title, the words ("being Section 4424 of the Revised Statutes of 1881.")

FOULKE.

Which was concurred in.

The bill was then read a third time.

The question being, Shall the bill pass?

Senator Graham moved to recommit for the purpose of the amendment of the bill.

Senator Voyles arose to a point of order, to-wit:

That the motion of Senator Graham is not specific enough as to the amendment proposed.

The point of order was sustained by the Chair.

Senator Graham was given leave to amend his motion to read as follows:

I move to recommit to a special committee, with instructions to amend the same as follows:

Amend section one (1) by inserting after the word county, in line six (6), the following: "And the Presidents of the Board of School Trustees of each incorporated town in said county."

GRAHAM.



Senator Magee moved the previous question.

The motion for the previous question was seconded. .

The question being, Shall the main question be put?

It was so ordered.

The question being, Shall the motion of Senator Graham to recommit for amendment be adopted?

The ayes and nays being demanded by Senators Willard and Spann, and taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bundy, Graham, Henry, Lockridge, Lindley, Macartney, Null, Ristine, Smith of Delaware, Spann, Van Vorhis, Voyles, Yancey and Youche. Total, 15.

Those voting in the negative were:

Senators Bell, Benz, Bichowsky, Brown, Campbell, Compton, Davidson, Duncan, Fleming, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnson, Keiser, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Sayre, White and Willard. Total, 29.

So the motion was lost.

The question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Campbell, Compton, Davidson, Duncan, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnson, Magee, May, McCulloch, McIntosh, Null, Rahm, Richardson, White and Willard. Total, 25.



Those voting in the negative were :

Senators Bundy, Fleming, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Marvin, McClure, Overstreet, Ristine, Sayre, Smith of Delaware, Van Vorhis, Voyles, Yancey and Youche. Total, 18.

So the bill failed.

Engrossed Senate Bill No. 78 was read a third time.

The question being, Shall the bill pass ?

Senator Magee moved the previous question.

The question being, Shall the demand for the previous question be seconded ?

The ayes and nays were demanded by Senators McIntosh and Spann, and resulted as follows :

Those voting in the affirmative were :

Senators Bell, Benz, Bichowsky, Brown, Compton, Davidson, Duncan, Ernest, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 28.

Those voting in the negative were :

Senators Adkinson, Bundy, Campbell, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 19.

So the demand for the previous question was seconded.

The question being, Shall the main question be put ?

It was so ordered.

The question being, Shall the bill pass ?

The ayes and nays were taken and resulted as follows :

Those voting in the affirmative were :

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson,



Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 27.

Those voting in the negative were :

Senators Adkinson, Bichowsky, Bundy, Campbell, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 20.

So the bill passed.

The title was adopted as read.

Senator Foulke stated that he had voted against the bill, and moved to reconsider the vote by which on last Wednesday Senate Bill No. 62 was lost.

The motion was adopted.

It was so ordered.

The question being, Shall the bill pass ?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Bichowsky, Davidson, Fleming, Fletcher, Henry, Hoover, Hutchinson, Johnston, Lockridge, Magee, Marvin, Overstreet, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, White, Willard and Yancey. Total, 22.

Those voting in the negative were :

Senators Adkinson, Benz, Campbell, Compton, Duncan, Ernest, Foulke, Hill, Hilligass, Howard, Johnson, Keiser, Lindley, Macartney, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Voyles and Youche. Total, 23.

So the bill failed.

Senator Adkinson gave notice that he would, on to-morrow morning, move a reconsideration of the vote by which Senate Bill No. 62 failed to pass.



Senator Smith, of Jay, from the Committee on Phraseology, on Senate Bill No. 151, reported as follows:

MR. PRESIDENT:

Your committee, to whom was referred Engrossed Bill No. 151, have had the same under consideration, and I am directed to return the bill, with the recommendation to insert after the word "office," in line 9, section 1, the following words, "to pay over to his successor in office."

SMITH.

Engrossed Senate Bill No. 114 was read a third time:

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Foulke, Graham, Henry, Hill, Hoover, Howard, Hutchinson, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, McClure, McCulloch, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Yancey and Youche. Total, 39.

Those voting in the negative were:

Senators Johnston, McIntosh and Willard. Total, 3.

So the bill passed.

The title was adopted as read.

Senator Spann moved that when the Senate adjourn to-day, it be to meet Monday next at 2 o'clock, P. M.

Senator Brown moved an amendment that when the Senate adjourn at noon to-morrow, it be to meet at 2 o'clock next Monday.



Senator Graham moved an amendment to the amendment, that when the Senate adjourn to-day it be to meet at 1:30 o'clock, P. M., next Monday.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Bundy, Duncan, Fleming, Foulke, Graham, Henry, Lockridge, Lindley, Macartney, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Willard, Yancey and Youche. Total, 21.

Those voting in the negative were:

Senators Bell, Brown, Campbell, Compton, Davidson, Ernest, Fletcher, Hill, Hilligass, Hoover, Howard, Johnston, Johnson, Keiser, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet and Smith of Jay. Total, 23.

So the amendment to the amendment offered by Senator Graham failed.

The question being on the amendment offered by Senator Brown, that when the Senate adjourn at noon to-morrow it be to meet at 2:30 o'clock P. M. Monday next.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Brown, Campbell, Compton, Davidson, Duncan, Fleming, Fletcher, Hoover, Howard, Johnston, Johnson, Magee, Marvin, May, McCulloch, Overstreet, Richardson, Smith of Jay, and Willard. Total, 19.

Those voting in the negative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Ernest, Foulke, Graham, Henry, Hill, Hilligass, Keiser, Lockridge, Lindley, Macartney, McClure, McIntosh, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 26.

So the motion on Senator Brown's amendment failed.



The question being on the motion of Senator Spann, that when the Senate adjourn to-day, it be to meet at 2 p. m. on Monday next.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Howard, Keiser, Lockridge, Lindley, Macartney, Marvin, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Willard, Yancey and Youche. Total, 29.

Those voting in the negative were:

Senators Bell, Davidson, Duncan, Ernest, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Magee, May, McClure, McCulloch, McIntosh, Null, Richardson and Smith of Jay. Total, 17.

The motion prevailed.

Senator Spann moved to reconsider the vote, and to lay that motion on the table.

The ayes and nays were demanded and taken, with the following result:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Duncan, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Howard, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Willard, Yancey and Youche. Total, 30.

Those voting in the negative were:

Senators Bell, Davidson, Ernest, Hilligass, Hoover, Hutchinson, Johnston, Johnson, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay. Total, 15.

The motion prevailed.



The President of the Sentate submitted the following telegraphic dispatch from W. R. Meyers, of the Relief Committee :

JEFFERSONVILLE, IND., February 16, 1883.

*To A. G. Porter, Governor.*

I earnestly recommend that a committee of the House and Senate both visit this city at once. The situation must be seen to be appreciated.

W. R. MEYERS.

Engrossed Senate Bill No. 139 was read a third time.

The question being, Shall the bill pass?

Senator McIntosh gave notice that he would enter a protest against the Senate adjourning over to Monday at 2 o'clock P. M.

Senator Spann moved to amend Senate Bill No. 139 by limiting it to "Free Gravel Roads."

Unanimous consent was given that the bill be so amended.

Senator Bell, from the Committee on Elections, submitted the following majority report :

MR. PRESIDENT :

Your Committee on Elections, to whom was referred the papers and evidence in the matter of the contest of Johnson against Overstreet, have had the same under consideration, and a majority of the committee submit the following report :

As to the specifications stated in the original grounds of contest, which includes all except the charge of bribery, the undersigned members of the committee, find that they are not sustained by sufficient evidence to entitle the contestor to a seat in this Senate.

And as to the charge of bribery the said members of the committee find that the legal effect of the evidence adduced before the committee is not such as to sufficiently sustain the direct charge of bribery made in the supplemental statement of contest.



The undersigned, members of the committee, further report that in their opinion the contestor made the contest in good faith, and therefore recommend that his per diem, together with reasonable expense of contest, be allowed and paid him.

R. C. BELL,  
A. B. FLETCHER,  
WARREN G. SAYRE,  
JESSE J. SPANN,  
S. F. LOCKRIDGE.

Senator McCulloch, from the same committee, made a minority report, as follows:

MR. PRESIDENT:

Your Committee on Elections, to whom was referred the papers and evidence in the matter of the contest of Johnson against Overstreet, have had the same under consideration, and the undersigned, member of the committee, respectfully submits the following minority report:

As to the specifications in the original statement of contest, which embrace all except the charge of bribery, like the majority of the committee, I think they are not sufficiently sustained to warrant the Senate in finding that the contestor is entitled to a seat therein as a member thereof.

But as to the charge of bribery embraced in the supplemental statement of contest, I believe and find that the following facts are fully and clearly proven by the direct and circumstantial evidence adduced before the committee, to-wit:

That at and before the general November election, 1882, one William Rude, as well as the contestor and contestee herein, was a candidate for membership in this Senate, from the counties of Morgan and Johnson, and one Jacob Zooh and Harrison Fesler were his personal and political friends in said candidacy. But, having despaired of the election of said Rude, and being desirous of selling and bartering their votes and influence at said election for money, reward, or the promise thereof, the said Fesler, Rude and Zooh, on the 6th day of November, 1882, agreed together and directed that said Zooh should interview the contestee Overstreet, and should give him to understand



and be informed that said Rude had incurred certain expenses in and about his own candidacy, and in attempting to secure his own election, and that they, the said Fesler and Zooh, as well as the said Rude, were desirous of and interested in having said expenses repaid to said Rude, or paid to others for his use, and that if he, the said Overstreet, would pay, or promise to pay, or to cause to be paid to said Rude, or to others for his use, an amount equal to one-half of said expenses, they, the said Rude, Fesler and Zooh, would vote and exercise their influence for said Overstreet, for said office, at said election.

And in pursuance of said agreement and direction, the said Zooh, on said 6th day of November, did interview said Overstreet and give him to be informed and understand the matters agreed and directed as above, and at the same time further represented to said Overstreet that the said expenses of said Rude would not be less than fifty dollars, and probably not more than one hundred. And thereupon the said Overstreet, well knowing of the candidacy of said Rude, and well knowing that said Zooh was his, the said Rude's, personal and political friend, and then and there believing that said Zooh and said Rude, and probably others similarly situate would be induced and procured to vote for him, the said Overstreet, at said election, and to use their influence for him by his promising to pay, or to cause to be paid, one-half of said expenses of said Rude, and for the purpose of procuring and inducing said Rude, and Zooh and Fesler, and probably others, to vote for him, the said Overstreet, at said election, and to use their influence for him, he, the said Overstreet, did then and there offer and promise to said Zooh that he, the said Overstreet, would pay, or cause to be paid, one-half of said expenses, and authorized said Zooh to communicate said offer and promise to said Rude and Fesler, or to any other parties who might be favorably influenced thereby, and in evidence of his said promise said Overstreet then and there executed and delivered to said Zooh a written instrument in these words:

“FRANKLIN, IND., Nov. 6, 1882.

“I guarantee that this county will stand responsible for one-half of the expense of the matter mentioned by Mr. J. A. Zooh.

G. M. OVERSTREET.”



And in pursuance of said authority of said Overstreet, said offer and promise of his, was communicated to said Fesler and Rude, and in pursuance and because thereof, said Rude, Fesler and Zooch did vote for said Overstreet at such election. And subsequently, and in pursuance of said promise of said Overstreet, and upon no other consideration, fifty dollars was paid to said Fesler for said Rude, by one E. F. Branch, for the benefit of said Overstreet, and with his knowledge and consent.

And hence I find that the charge embraced in the supplemental ground of contest is made out and sustained by the evidence.

J. E. McCULLOCH.

Senator Youche, from the Committee on Swamp Lands, on Senate Bill No. 278, reported as follows:

MR. PRESIDENT:

Your Committee on Swamp Lands, to whom was referred Senate Bill No. 278, introduced by Senator Bell, would respectfully report that they have had said bill under consideration and your committee recommend that said bill do pass.

HOOVER,  
Chairman.

On motion of Senator Hilligass the Senate adjourned.



## AFTERNOON SESSION.

FEBRUARY 16, 1883.

Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

Senator Ernest, from Committee on Enrolled Bills, reported on House Bill No. 32 as follows:

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency Gov. Porter, House Bill No. 32.

JOSHUA ERNEST,  
Chairman.

February 16, 1883.

Senator Richardson, from the Committee on Claims, offered the following report on the claim of Teresa and Chas. Bachtell:

MR. PRESIDENT:

Your Committee on Claims and Expenditures, to whom was referred the claim of Teresa and Chas. Bachtell, have had the same under consideration, and a majority of said committee recommend the allowance of \$1,000, and that same be placed in specific appropriation bill.

E. P. RICHARDSON,  
Chairman.

W. C. DUNCAN.

Senator May offered the following minority report:

MR. PRESIDENT:

Your Committee on Claims and Expenditures, to whom was referred the claim of Teresa and Charles Bachtell, have had the same under consideration, and a minority of said committee recommend it to be indefinitely postponed.

H. J. MAY.



The question being on the adoption of the minority report, Senator Bell moved that the further consideration of this claim, and the reports thereon, be postponed until Tuesday next at 3 o'clock P. M.

It was so ordered.

The following messages were received from the House at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Senate Concurrent Resolution to appoint a committee on conference to confer on the matter of the Decedents' Estate Bill, and the Speaker has appointed the following members of the House to serve on such committee: Messrs. Frazee, Williams of Knox, and Patten.

EDWINS,  
Clerk.

Also,

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Concurrent Resolution No. 10, in relation to the appointment of a joint committee to visit the flooded districts in this State, and other matters connected therewith, and the same is herewith transmitted to the Senate for its action.

EDWINS,  
Clerk.

Also,

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 375, concerning proceedings in civil cases, and other matters connected therewith, approved April 7, 1881, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.



The following message was received from the House by the hands of the Principal Clerk thereof :

MR. PRESIDENT :

I am instructed by the House to inform the Senate that the House has passed House Bill No. 419, appropriating the sum of \$100,000 for the relief of persons who are suffering and destitute by reason of the prevailing high waters of the Ohio, White and Wabash rivers, etc., and declaring an emergency, and the same is transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed engrossed House Bill No. 103, concerning liens of mechanics, laboring men and others, and other matters connected therewith, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT :

I am instructed by the House to inform the Senate that the Speaker has signed enrolled House Concurrent Resolution No. 11, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS.  
Principal Clerk.

Engrossed Senate Bill No. 139 being under consideration when the Senate adjourned at noon, was taken up.

The question being, Shall engrossed Senate Bill No. 139 pass?



The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Campbell, Compton, Davidson, Fleming, Fletcher, Foulke, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McCulloch, Rahm, Ristine, Sayre, Smith of Delaware, Smith of Jay, Van Vorhis and Youche. Total, 36.

Those voting in the negative were:

Senators Bundy, Duncan, Ernest, Graham, McClure, McIntosh, Null, Overstreet, Richardson, Spann, Willard and Yancey. Total, 11.

So the bill passed.

The title was adopted as read.

The President submitted the following communication, received by Governor Porter:

JEFFERSONVILLE, IND., February 16, 1883.

*Hon. Albert G. Porter:*

This company begs to tender special transportation for the legislative committees to Jeffersonville and return. The destitution and misery here appeals to the humanity of all, and such a visit will convince the most skeptical that the picture has not been overdrawn.

E. W. McKEENE,  
Superintendent.

The Chair announced that he had signed House Concurrent Resolution No. 10, which was as follows:

#### HOUSE CONCURRENT RESOLUTION NO. 10.

*Resolved by the House of Representatives, the Senate concurring, That a committee of five be appointed by the Speaker of the House, and a like committee be appointed by the President of*



the Senate, to visit the city of Jeffersonville and all other overflowed cities on the Ohio river and elsewhere in the State, in answer to telegrams requesting the visit of a joint committee.

COPELAND,  
Jefferson County.

Senator Hilligass moved its adoption.

It was so ordered.

The Chair announced as such committee, on the part of the Senate: Senators Hilligass, Bundy, Duncan, Campbell and Van Vorhis.

The following messages were received from the House, at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 91, concerning a bill for an act designating a name by which the House of Refuge for the correction and reformation of juvenile offenders, and other matters connected therewith, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has adopted House Concurrent Resolution No. 12, relating to driven well patents, and other matters connected therewith, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Bill No. 413, in relation to the relief



of Weems Heagg and his sureties, and other matters connected therewith, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the Speaker has appointed upon the part of the House, Messrs. Gibson, Copeland, Shively, Jewett and Sutton, as a committee to visit the flooded districts, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Senator Bell moved that the Senate go into the Committee of the Whole, agreeable to the special order of yesterday.

It was so ordered.

Senator Bell, the Chairman of the Committee of the Whole, reported that he was instructed by the whole Senate to ask that the committee rise, report progress, and asked leave for the committee to sit again at 2 o'clock next Monday afternoon.

It was so ordered.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT,  
February 16, 1883. }

*To the Honorable, the President of the Senate:*

The Governor desires respectfully to inform the Senate that he has approved and signed Senate Enrolled Bill No. 32, and has caused the same to be filed in the office of the Secretary of State.

FRANK H. BLACKLEDGE,  
Private Secretary.



Senator McIntosh presented a protest, which was laid on the table for future consideration.

Senator Campbell asked leave to be excused from serving on the committee to visit Jeffersonville, and that Senator Macartney be substituted in his stead.

It was so ordered.

Senator Van Vorhis asked leave to be excused from serving on the committee to visit Jeffersonville, and that Senator Sayre be substituted in his stead.

It was so ordered.

Senator Lindley asked leave of absence for Senator Hill until Tuesday next, at 2 o'clock p. m., and stated that he was paired with him on all political questions.

Which was granted.

On motion of Senator Henry, the Senate adjourned.

THOMAS HANNA,  
President of the Senate.



## MONDAY AFTERNOON.

FEBRUARY 19, 1883.

The Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

Prayer was offered by the Rev. W. B. Collins, of California Street Methodist Church, Indianapolis.

The reading of the Journal was being proceeded with when, on motion of Senator Graham, the further reading of the minutes was dispensed with.

The following message was received and read from the Governor:

EXECUTIVE DEPARTMENT,  
INDIANAPOLIS, February, 19, 1883. }

*Gentlemen of the Senate:*

The constitution provides that every bill which shall have passed the General Assembly shall be presented to the Governor, and that if he approve, he shall sign it, but if not, he shall return it, with his objections, to the House in which it shall have originated. It further provides that if any bill shall not be returned by the Governor within three days, Sunday excepted, after it shall have been presented to him, it shall be a law without his signature, unless the general adjournment shall prevent its return. Senate Bill No. 1, relating to the government and management of the Benevolent Institutions, was presented to me on Wednesday the 14th inst.; Saturday the 17th inst., had the Senate been in session, was the last day upon which I could have returned the bill with objections. The Senate not having been in session that day, and yesterday having been Sunday, no doubt is entertained that it is competent for me to return the bill with my objections to-day. On Saturday last, however, thinking that a question might possibly



be started whether, in order that the objection might be in season, the bill should not have been delivered to the presiding officer of the Senate, if practicable, on that day, along with my objections thereto, I placed the bill in his hands, and a written statement of my objections to it, and requested him to return the bill to the Senate on the meeting of the Senate to-day, and also to cause to be communicated to the Senate the statement of objections which I delivered to him.

I have the honor now to repeat the same request, regretting, however, that an occasion has arisen which obliges me, under a sense of official duty, to differ from a majority of the two Houses in relation to the expediency of the passage of the bill.

ALBERT G. PORTER.

The following indorsement on the back of the Governor's message was read:

Received the within message from the Governor, in the Senate chamber, at 4 o'clock, P. M., February 17, 1883.

THOMAS HANNA,  
President of the Senate.

The President submitted the following message from the Governor:

EXECUTIVE DEPARTMENT, }  
February 17, 1883.

*Gentlemen of the Senate:*

I respectfully return to the Senate, with my objections, Senate Bill No. 1, entitled "An act providing for the better government and management of the Hospital for the Insane, the Asylum for the Blind and the Institution for the Deaf and Dumb, repealing all laws or parts of laws in conflict herewith," and declaring an emergency.

The power of the Governor to appoint Trustees for the three benevolent institutions, the Hospital for the Insane, the Institute for the Education of the Blind and the Institution for the Deaf and Dumb, was conferred by the act of March 6, 1879, reorganizing these institutions. But one Legislature has inter-



vened since the passage of this act. The Legislature that passed it deemed the necessity so strong for the provision transferring from itself to the Executive the power of appointing Trustees, that it did not allow the President of the Board of Trustees and two other trustees whose terms of office had then two years to run, to serve out any part of the residue of their terms.

The reasons of the Legislature for desiring to transfer this power from itself to the Governor are not difficult to understand. The sessions of the Legislature are limited by the Constitution to sixty days. Except when some extraordinary duty is devolved upon it, such as revising the whole body of our laws, the time is sufficient, when the Legislature is in a condition to address itself with earnestness to its legitimate work. But to perform the duties intrusted to it within the time limited, and to frame wise laws, the uninterrupted and deliberate attention of members to their legislative duties is of course imperatively necessary. That attention can not be given when the Legislature converts itself into a body for the distribution of offices; and time is necessarily consumed every day in the lobbies of the Houses and elsewhere, in listening to the solicitations of candidates and their friends. The inevitable effect is a distraction from duties incumbent upon members and a great waste of time.

It is also well known that when the Legislature makes itself a direct agency for bestowing offices, party spirit always runs so high that the greater portion of its time is spent in useless political controversies, to the great detriment of the business which its members were elected to discharge.

These may well be supposed to have been the considerations which induced the Legislature in 1879 to change the law to what it now is.

The chief complaint of the people against our laws is that they are so unstable. The people do not see why the laws should be changed so often that plain men can never be certain what the laws are, and are obliged to resort to a professional class to learn what they are on the simplest subjects. It is a wise rule not to change a law until evil consequences from it are sensibly felt.



It is claimed by the friends of the bill now returned, that the present law which it is intended to replace has thus far worked well. If, under it, the Governor nominates for trustees persons unsatisfactory to the Senate, that body can refuse to confirm the nominations and put upon him the responsibility of nominating others whom they may ultimately approve. If he omits to do so the incumbents will continue to hold their places.

The people will therefore perceive no satisfactory reason why in four years after the passage of the present law it should be replaced by the law which the Legislature in 1879 condemned.

The power of appointing to office is not one to be coveted by the Executive. To a sensitive mind the disappointment inflicted upon many worthy applicants is more keenly felt than the gratification of giving to a successful few. In arguing in favor of the law, as it now is, I feel that I can speak, therefore, in an impersonal way for what is best for the public, and not for what would be most agreeable to the appointing officer.

ALBERT G. PORTER.

Senator Brown moved that 10 o'clock A. M. next Wednesday be fixed as a time for the consideration of the Governor's message.

Which was adopted.

Senator Spann moved that 250 copies of the Governor's message be printed.

Which was adopted.

Senator Ernest, from the Committee on Roads, reported as follows on enrolled Senate Bill No. 91.

MR. PRESIDENT: .

The Committee on Enrolled Bills have compared engrossed Senate Bill No. 91 with enrolled Senate Bill No. 91, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.



Senator Voyles, from the Committee on Election, submitted the following minority report in the case of Johnson *vs.* Overstreet:

MR. PRESIDENT:

As a member of your Committee on Elections, I make and present the following minority report in the case of Johnson *vs.* Overstreet. So far as the supplemental specifications of grounds of contest are concerned, I find that the direct charge of bribery against Overstreet, therein contained, is possibly not sustained by sufficient evidence to unseat him for that cause alone. But I do find that the whole proof in the case establishes a sufficient cause for unseating him, and for seating Mr. Johnson. I find from the proof in the case that Mr. Johnson, in making the race for Senator in the counties of Johnson and Morgan, resorted to none but legitimate and fair means to obtain his election; and that his conduct as a candidate was characterized by the utmost fairness and good faith, while Mr. Overstreet adopted very questionable and corrupt methods. I find that about forty-five votes were cast for Mr. Overstreet, the sitting member, that were voted by persons who, in my judgment, were not legal voters in the precincts where they cast their votes.

I further find from the proof that a Mr. Rude, who was the alleged candidate of the Greenback or National party for Senator, became a party to a corrupt bargain looking to the transfer of votes intended for him to Overstreet, in this: Mr. Rude, pretending to have made a campaign debt of something more than two hundred dollars in soliciting votes for himself, for the purpose of having that sum assumed or paid off by Mr. Overstreet, or the Republican Committee working in the latter's interest, agreed to stay in the race for the purpose of obtaining the votes of such members of his alleged party as would cast their votes for Johnson, if he, Rude, was not a candidate, and at the same time he, Rude, would himself vote for Overstreet, and would deceive and defraud as many of his party into voting for Overstreet as he could, and would likewise induce as many of his personal friends and followers to vote for Overstreet as he could trust with the secrets of the corrupt and fraudulent bargain; that, by the bargain and means aforesaid,



at least fifty votes were corruptly and fraudulently transferred to Overstreet which would have been cast for Rude, had not said bargain and the means aforesaid been resorted to. These facts are perfectly plain by a fair deduction from the evidence. In corroboration of my conclusion in this matter, I refer to the fact that the National Greenback State ticket received, in the aggregate, in the two counties composing the Senatorial district, 374 votes, while Rude, for Senator, received only seventy-four votes, and there is no evidence that he was not popular as a candidate, and that he was not ordinarily worthy of the confidence and support of his party.

The proof shows that the corrupt bargain, referred to, was entered into only a day or two before the election, and that Mr. Rude presented his account in pursuance of the agreement a few days after the election, and that Mr. Overstreet himself recognized the demand for its payment by writing a letter to Mr. Rude, in response to the demand made, in which the assurance was given that, as soon as he could see his committee, the matter would be settled and satisfaction made. The proof is positive that at least a portion of the amount demanded was paid by the Republican Committee into the hands of Rude. According to the proof, Mr. Overstreet was a party to said corrupt bargain, and he became a special obligor in writing to the effect that some of the money would be paid.

There is no substantial difference between throwing out votes obtained by intimidation and those obtained by such fraud and circumvention as I have cited above.

The returns show that Mr. Overstreet had an apparent plurality of eighty-five votes.

In my opinion, for the reasons above set forth, Mr. Overstreet did not receive a plurality of the legal votes cast at said election, while Mr. Johnson did receive a plurality of the votes, and is therefore entitled to the seat.

S. B. VOYLES.

The following protest was taken up and read:

MR. PRESIDENT:

The undersigned Senators respectfully present this, their protest against the action of the Senate in voting to adjourn from



to-day over until 2 o'clock P. M., on Monday of next week, for the following reasons, and ask that the same may be spread at length upon the Journals of the Senate :

1. Because the session is nearing its close and the adjournment involves a useless waste of time and of the people's money.

2. Because the files of the Senate are burdened with business awaiting the action of the Senate, much of which ought to be disposed of by sitting during the time over which the Senate has adjourned.

3. Because the people of Indiana expect, and have the right to expect, and demand, that the present General Assembly shall attend strictly to the disposal of business affecting the public interest, accomplish its work within the time fixed for the regular session, in the interest of economy, and not render a special session necessary.

4. Because the action of the Senate in determining upon said adjournment, tends in its effect to render a special session of the General Assembly necessary.

5. Because there is no public necessity for such adjournment.

Respectfully submitted.

J. P. McINTOSH,  
Davies and Greene.

R. C. BELL,  
Allen and Whitley.

W. J. HILLIGASS,  
Huntington and Wells.

J. E. McCULLOCH,  
Posey and Gibson.

E. P. RICHARDSON,  
Warrick and Pike.

W. B. HUTCHINSON,  
Laporte.

L. S. NULL.

FRED. HOOVER.

C. JOHNSTON.

JOSHUA ERNEST.

H. J. MAY,  
Perry and Spencer.

W. H. DAVIDSON,  
Fulton and Marshall.

FRANCIS JOHNSON.



Senator Spann moved that the protest be expunged from the records of the Senate.

Senator Bell raised the point of order "that under a constitutional provision any Senator or Senators have a right to enter a protest, if couched in respectful language."

Pending a decision of the point of order, Senator Spann gave notice that he would make the above motion to-morrow.

And the reading of the protest was proceeded with to its conclusion.

Senator Graham was given consent to call up Senate Bill No. 29 and the message of the House recommending amendments thereon.

Which was read, and is as follows:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed engrossed Senate Bill No. 29, to legalize the acts and proceedings of the Trustees of the town of Westfield, Hamilton county, Indiana, and the following amendments in relation thereto, and the same are herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Engrossed House amendment to Senate Bill No. 29:

Add to section one the following: "*Provided*, That this act shall in no manner affect suits now pending, but the same may be prosecuted and determined the same as if this act had never passed."

The amendment was concurred in.

Senator Bundy, from the Committee on Judiciary on Senate Bill No. 244, reported as follows:

MR. PRESIDENT:

A majority of your Committee on Judiciary, to whom was referred Senate Bill No. 244, have directed me to report the same back, with recommendation that it be amended as follows:

Insert after the words "thirty years" the words "such index," and before the word "continued" the words "shall be;"



after the word "force" the words, "and the County Recorder shall be required to keep up such index, and shall be paid therefor the sum of (20) twenty cents per hundred words, out of the county treasury," and when so amended, that the bill do pass.

BUNDY,  
For the Committee.

The Senate then went into Committee of the Whole, according to special order, on House Bill No. 302.

The committee of the whole Senate arose, when, in the absence of the Lieutenant Governor, Senator Henry was called to the Chair.

Engrossed House Bill No. 3 was read a first time and referred to the Committee on Judiciary:

An act to amend section 461 of an act entitled "An act concerning proceedings in civil cases," approved April 7, 1881.

Engrossed House Bill No. 53 was read a first time.

An act legalizing the incorporation of Burnettsville, White county, Indiana.

Which was referred to the Committee on Corporations.

House Bill No. 133 was being read a first time.

Senator Bundy raised a point of order that it was taken up out of its order on the calander.

The Chair announced that he had signed Enrolled Act of the Senate, No. 91.

Senator Brown moved to take up House Bill No. 133, and read a first time, and demanded the previous question.

The ayes and nays were demanded by Senators Spann and Graham, and being taken, resulted as follows:

Those voting in the affirmative were:

Senators Bell, Brown, Compton, Davidson, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Rahm, Voyles and Willard. Total, 22.



Those voting in the negative were :

Senators Benz, Bichowsky, Bundy, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Overstreet, Ristine, Smith of Jay, Spann, Van Vorhis, White and Yancey. Total, 17.

So the motion was adopted.

The question being, Shall the main question be put ?

It was so ordered.

The question being, Shall the bill be read a first time ?

The ayes and nays were demanded and taken, and resulted as follows :

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Marvin, May, McClure, McCulloch, McIntosh, Rahm, Voyles and Willard. Total, 22.

Those voting in the negative were:

Senators Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Overstreet, Ristine, Smith of Delaware, Spann, Van Vorhis, White and Yancey. Total, 17.

A point of order was raised by Senator Spann, that it required a two-thirds vote to take up the bill.

Senator Brown asked leave to withdraw his motion.

Objection was made by Senator Spann.

The Chair sustained the point of order, and the motion was held to have been rejected.

Senator Bell gave notice that he would, on to-morrow, move an amendment to the rules of the Senate governing as above.



Senator Bell, from the Committee of the Whole, reported as follows:

MR. PRESIDENT:

The Committee of the Whole, having under consideration House Bill No. 302, beg leave to report as follows, referring to the printed bill:

The committee recommend that the bill be amended as follows:

That, in section 2, line 13, the words "three thousand" be stricken out, and the words "twenty-five hundred" inserted in lieu thereof.

That, in line 28, the word "three" be stricken out and the word "eight" inserted in lieu thereof.

That, in line 37, the words "seven hundred and fifty" be stricken out and the words "one thousand" inserted in lieu thereof.

That, in line 48, the word "five" be stricken out and the word "six" inserted in lieu thereof.

That in lines 60 the words "seven hundred and fifty" be stricken out, and the words "nine hundred" inserted in lieu thereof.

That in line 61 the word "library" be inserted immediately after the word "State," and that the words "and library" be stricken out, and words "on the corner of Tennessee and Market streets" be inserted in lieu thereof.

That the words "forty-three" be stricken out of line 87.

That the words "seven thousand five hundred" be stricken out of line 88, and the words "fifteen thousand" inserted in lieu thereof.

That the words "forty-three" be stricken out of line 90.

That the words "one thousand five hundred" be stricken out of line 91, and the words "three thousand" inserted in lieu thereof.



That in line 97 the words "on corner of Washington and Tennessee streets" be inserted immediately after the word "building."

That in line 98 the words "two of" be inserted immediately after the word "dollars," and that the words "to be" be inserted in said line immediately after the word "janitors."

That in line 99 the words "and one by the Judges of the Supreme Court" be inserted immediately after the word "State."

That in line 109 the word "fifteen" be stricken out, and the word "ten" be inserted in lieu thereof.

That in line 138 the word "twelve" be stricken out, and the word "twenty" be inserted in lieu thereof, and that immediately after the word "dollars" in said line, the following words be inserted: "That before any part of the appropriation hereby made be paid, any rule adopted by the Purdue University affecting secret societies, and the Greek Fraternities in particular, shall be rescinded."

That in line 139 the word "five" be stricken out, and the word "seven" be inserted in lieu thereof.

That the ninth subdivision of said bill be amended as follows, by inserting this clause:

"For office expenses of the Clerk of the Supreme Court, five hundred dollars."

That in line 143 the word "one" be stricken out, and the word "three" be inserted in lieu thereof.

That in line 149 the words "seventy-five thousand" be stricken out, and the words "eighty-five thousand" be inserted in lieu thereof.

That in line 147 the words "seventy-five" be stricken out, and the words "eighty-five" inserted in lieu thereof.

That in line 149 the words "seventy-five" be stricken out, and the words "eighty-five" inserted in lieu thereof.

That the words "and the certificate of State stock, if there be any of such stock," be stricken out of line 174.



Amend section 3 by adding thereto the following words:

“And except the appropriation made herein for the expenses of the Clerk of the Supreme Court, for which expenses there shall be no appropriation for the year beginning November 1, 1884, and ending October 31, 1885.”

And that when so amended the bill do pass.

R. C. BELL,

Chairman of the Committee of the Whole Senate.

Senator Bell moved that the report of the Committee of the Whole Senate be adopted.

It was so ordered.

The bill was ordered engrossed.

Senator Yancey moved to take up House bill No. 419.

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Benz, Bichowsky, Bundy, Foulke, Graham, Henry, Howard, Johnston, McClure, Spann, Van Vorhis, Willard and Yancey. Total, 13.

Those voting in the negative were:

Senators Bell, Brown, Compton, Campbell, Davidson, Ernest, Fletcher, Hilligass, Hoover, Hutchinson, Johnson, Keiser, Lockridge, Magee, May, McCulloch, McIntosh, Overstreet, Rahm, Ristine, Smith of Delaware, Voyles, White and Youche. Total, 24.

So the motion was lost.



Senator Spann rose to a question of privilege and offered the following protest, which was read for information :

MR. PRESIDENT :

We, the undersigned Senators, hereby enter our protest as to the action of the Reading Clerk of the Senate in taking up out of its order the House Bill No. 133, known as the Metropolitan Police Bill; that at the time the bill was attempted to be read out of its order, there was pending and ready for reading a large number of bills from the House; that said bill was taken up out of its order by a Democratic clerk for the purpose of forwarding a partisan bill, and placing the bill in advance of other bills from the House on third reading; and we hereby protest that the action of said clerk and Reading Clerk was unjust and outrageous and uncalled for, and in the interest of a partisan scheme and a Democratic majority, and at their instance.

J. J. SPANN,  
E. H. BUNDY,  
S. T. YANCEY,  
J. W. YUCHE.

Senator Bell rose to a point of order, that the protest was to be made against the conduct of one of the clerks, and that it was not in order to read it.

Pending the discussion, Senator Magee made a motion that the Senate adjourn.

The ayes and nays were demanded.

When Senator Magee withdrew his motion.

Senator Van Vorhis moved that the Senate adjourn.

The ayes and nays being demanded and taken, resulted as follows :

Those voting in the affirmative were:

Senators Bichowsky, Bundy, Fleming, Foulke, Graham, Lockridge, Lindley, Magee, Overstreet, Ristine, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 16.



Those voting in the negative were :

Senators Bell, Brown, Campbell, Compton, Davidson, Ernest, Faulkner, Fletcher, Henry, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, May, McClure, McCulloch, McIntosh, Rahm, Smith of Jay, Voyles and Willard. Total, 24.

So the motion was lost.

The following message from the Governor was received and read :

EXECUTIVE DEPARTMENT,  
INDIANAPOLIS, IND., February 19, 1883. }

*Gentlemen of the Senate :*

The act creating the office of Commissioner of Fisheries, approved September 19, 1881, requires the Commissioner to report the result of his investigations, experiments and labors to the present General Assembly. I have the honor, by request of the Commissioner, to transmit to you his report. I have transmitted a duplicate of the report also to the House of Representatives.

A. G. PORTER,  
Governor.

On motion of Senator Bell, the Governor's message was referred to a special committee of three.

It was so ordered.

Senators Bell, Spann and Bundy were appointed as said special committee of three.

The protest of Senator Spann was then read, and the Chair ruled that it was not properly introduced.

Senator Van Vorhis moved to suspend the rules and direct the Committee on Railroads to report Senate Bill No. 24 back to the Senate, for the purpose of referring said bill to another committee.

Senator Bell moved to lay the motion on the table.



The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Ernest, Faulkner, Fletcher, Graham, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, Overstreet, Rahm, Smith of Jay, Voyles and Willard. Total, 25.

Those voting in the negative were:

Senators Bichowsky, Bundy, Campbell, Fleming, Foulke, Henry, Keiser, Lockridge, Lindley, Ristine, Spann, Van Vorhis, White, Yancey and Youche. Total, 14.

So the motion was laid on the table.

Senator Graham moved that the Senate adjourn.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Bundy, Campbell, Foulke, Graham, Lockridge, Lindley, Overstreet, Ristine, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 14.

Those voting in the negative were :

Senators Bell, Benz, Bichowsky, Brown, Compton, Davidson, Ernest, Faulkner, Fleming, Fletcher, Henry, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Rahm, Smith of Jay, Voyles and Willard. Total, 27.

So the motion was lost.

Senator Spann moved to take up House Bill No. 419.

Senator Bell moved to lay the motion of Senator Spann upon the table.



The ayes and nays being demanded and taken, resulted as follows :

Those voting in the affirmative were :

Senators Bell, Campbell, Compton, Davidson, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Howard, Hutchinson, Lockridge, Magee, Marvin, May, McCulloch, McIntosh, Rahm, Smith of Jay, Willard and Youche. Total, 21.

Those voting in the negative were :

Senators Benz, Bichowsky, Brown, Bundy, Fleming, Foulke, Graham, Henry, Johnston, Johnson, Keiser, Lindley, McClure, Overstreet, Ristine, Spann, Van Vorhis, Voyles, White and Yancey. Total, 20.

So the motion was adopted.

Senator Willard moved to take up House Bill No. 33, and demanded the previous question.

Senator Van Vorhis moved that the Senate adjourn.

The Chair held the motion to adjourn in order, and from this decision Senator Willard asked for an appeal to the Senate, which, before being perfected, was withdrawn.

The question being on the motion of Senator Van Vorhis, that the Senate adjourn, the ayes and nays were demanded and taken, with the following result :

Those voting in the affirmative were:

Senators Benz, Bichowsky, Bundy, Campbell, Fleming, Graham, Keiser, Lockridge, Lindley, Magee, Overstreet, Ristine, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 18.

Those voting in the negative were:

Senators Adkinson, Brown, Compton, Davidson, Ernest, Faulkner, Fletcher, Henry, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Marvin, May, McClure, McCulloch, McIntosh, Rahm, Smith of Jay, Voyles and Willard. Total, 23.

So the motion was lost.



Senator Bell moved that the Senate proceed to the reading of House Bill No. 33, without the intervention of any other business, and demanded the previous question.

Senator Van Vorhis moved to lay the bill on the table.

The question being, Shall the bill lie on the table?

The ayes and nays were demanded and taken.

Senator Bell raised a point of order that the motion of Senator Van Vorhis, that the bill lie upon the table, was not in order.

Which was sustained by the Chair.

Senator Van Vorhis moved to lay the motion of Senator Bell on the table.

Senator Bundy moved that the Senate adjourn.

A point of order was raised by Senator Bell that no business had intervened since a motion for adjournment had been considered.

The point of order was sustained, the Chair holding that the motion to lay on the table, the original motion, was in order.

The question being, Shall the original motion of Senator Bell, that the Senate proceed with the reading of House Bill No. 33, without intervention of any other business, be laid on the table?

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Bichowsky, Bundy, Campbell, Fleming, Graham, Henry, Keiser, Lockridge, Lindley, Overstreet, Ristine, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 17.



Those voting in the negative were:

Senators Bell, Benz, Brown, Compton, Davidson, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Rahm, Smith of Jay, Voyles and Willard. Total, 24.

So the motion was lost.

The question being, Shall the demand for the previous question be seconded?

It was so ordered.

The question being, Shall the main question be put?

Senator Bundy moved that the Senate adjourn.

Senator Bell raised a point of order that the motion to adjourn was not in order.

It was sustained by the Chair.

Senator Van Vorhis raised a point of order.

The question being, Shall the main question be put?

It was so ordered.

The question being, Shall the bill be read before the intervention of any other business?

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Rahm, Smith of Jay, Voyles and Willard. Total, 24.



Those voting in the negative were :

Senators Bundy, Campbell, Fleming, Graham, Henry, Keiser, Lockridge, Lindley, Overstreet, Ristine, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 16.

So the motion prevailed.

The bill was being read when Senator Bundy moved that the Senate adjourn.

Senator Bell raised the point of order that the motion was to proceed with the reading of the bill, and that the motion was not in order.

The point of order was overruled by the Chair.

Senator Bell appealed from the decision of the Chair, which was presented as follows :

The motion having been made to take up and read the first-time House Bill No. 33, and the previous question being demanded and seconded, and the motion having carried and the bill having began to be read, a motion to adjourn was made, and the point of order being made that the motion to adjourn was not in order was overruled by the Chair, from which ruling the undersigned respectfully appeal.

R. C. BELL,  
J. B. BROWN.

The question being, Shall the decision of the Chair be sustained?

When Senator Bundy raised the point of order that the appeal does not state the exact facts and question ruled upon by the Chair.

Pending discussion of which, Senator Bundy moved to lay the appeal on the table.



Senator Voyles was granted unanimous consent, and gave notice as follows:

MR. PRESIDENT:

I move to amend Senate Rule No. 54 by striking out the words "two-thirds," on page 27, lines 2 and 3, of the printed rules, and insert the word "majority" instead.

VOYLES.

Senator Spann asked to be excused from voting.

Senator Van Vorhis moved that he be excused from voting.

The ayes and nays were demanded by Senators Van Vorhis and Bundy.

Senator Bell raised the point of order that the ayes and nays could not be demanded on the motion.

The Chair sustained the point of order.

The Chair decided that the original motion to excuse any Senator from voting is out of order during the pendency of the roll call.

Senator Bundy presented appeal from that decision.

Point of order was raised that an appeal could not be taken during the pendency of an appeal.

Which point of order was sustained by the Chair.

The roll call was then taken on the question, Shall the appeal of Senators Bell and Brown be laid on the table?

Before the vote was announced, on motion of Senator Spann the roll was called for verification, and resulted as follows:

Those voting in the affirmative were:

Senators Benz, Bichowsky, Bundy, Campbell, Fleming, Foulke, Henry, Keiser, Lockridge, Lindley, Overstreet, Ristine, Smith of Delaware, Van Vorhis, White, Yancey and Youche. Total, 17.



Those voting in the negative were:

Senators Bell, Brown, Compton, Davidson, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Rahm, Smith of Jay, Voyles and Willard. Total, 23.

So the motion was rejected.

The question being, Shall the decision of the Chair stand as the judgment of the Senate?

Senator Bell demanded the previous question.

The question being, Shall the demand for the previous question be seconded?

The ayes and nays were demanded, when Senator Yancey asked to be excused from voting.

Objections being made, Senator Yancey moved that he be excused from voting.

Senator Bell raised the point of order that the motion was not in order.

Which was sustained by the Chair.

Senator Spann moved that the Senate adjourn.

Senator Magee asked for leave of absence for Senator Lockridge until to-morrow morning.

It was granted.

Senator Faulkner gave notice, as follows:

I give notice that on to-morrow I will move to strike out Senate Rule No. 12, for the reason that it is in the way of the statesmen and orators, and for the further reason that they have not respected it.

FAULKNER.



Senator Bell raised the point of order that the motion could not be entertained when the previous question had been demanded and put.

The point of order was sustained by the Chair.

The question being, Shall the demand for the previous question be seconded?

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Bell, Brown, Compton, Davidson, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Rahm, Smith of Jay, Voyles and Willard. Total, 23.

Those voting the negative were:

Senators Bundy, Campbell, Fleming, Graham, Henry, Keiser, Lindley, Overstreet, Ristine, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 15.

So the motion was adopted.

The roll, on the request of Senator Spann, was called for verification.

The question being, Shall the main question be put?

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Bell, Brown, Compton, Davidson, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Rahm, Smith of Jay, Voyles and Willard. Total, 23.



Those voting in the negative were :

Senators Bundy, Campbell, Fleming, Graham, Henry, Lindley, Overstreet, Ristine, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 14.

So the motion prevailed.

The question being, Shall the decision of the Chair stand as the judgment of the Senate ?

The ayes and nays were demanded and taken, with the following result :

Those voting in the affirmative were :

Senators Bundy, Campbell, Fleming, Graham, Henry, Keiser, Lindley, Overstreet, Ristine, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 15.

Those voting in the negative were :

Senators Brown, Bell, Compton, Davidson, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Rahm, Smith of Jay, Voyles and Willard. Total, 23.

So it was ordered that the decision of the Chair should not stand as the judgment of the Senate.

Senator Spann moved that the reading of the bill be suspended, and that Senate Bill No. 72 be taken up, the constitutional rule be suspended, and placed upon its passage.

Senator Bell raised the point of order that the motion was not in order.

Which was sustained by the Chair.

The bill being House Bill No. 33, was read a first time.

Senator Brown offered the following motion :

MR. PRESIDENT :

I move to take up, and read through the first time, House Bill No. 133.

JASON B. BROWN.



Senator Brown demanded the previous question.

The question, Shall the demand for the previous question be seconded?

Senator Yancey asked to be excused from voting.

The Chair held that no Senator could be excused from voting after the demand for the previous question had been made.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Bell, Brown, Compton, Davidson, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Rahm, Smith of Jay, Spann, Voyles and Willard. Total, 24.

Those voting in the negative were:

Senators Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lindley, Overstreet, Ristine, Sayre, Smith of Delaware, Van Vorhis, White, Yancey and Youche. Total, 17.

The vote, on the demand of Senator Yancey, was called for verification.

So the demand for the previous question was seconded.

The question being, Shall the main question be put?

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Brown, Campbell, Compton, Davidson, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Rahm, Smith of Jay, Spann, Voyles and Willard. Total, 25.



Those voting in the negative were:

Senators Bundy, Fleming, Foulke, Graham, Henry, Keiser, Lindley, Overstreet, Ristine, Sayre, Smith of Delaware, Van Vorhis, White, Yancey and Youche. Total, 15.

The vote was, on demand of Senator Yancey, verified.

The question being on the adoption of the motion of Senator Brown.

A division of the motion being asked, the Chair stated that the vote would first be taken on the first part of the motion.

Senator Foulke moved to adjourn.

The point of order was raised, that the motion to adjourn was not in order while the motion for the previous question is pending.

Which point of order was sustained by the Chair.

Senator Bundy asked an appeal from the decision of the Chair.

The point of order was raised by Senator Brown that an appeal could not be entertained until the motion for the previous question had been exhausted.

The point of order was not sustained by the Chair, and the appeal was permitted.

The question being, Shall the decision of the Chair stand as the judgment of the Senate?

The ayes and nays were demanded and taken with following result:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Ernest, Faulkner, Fletcher, Foulke, Henry, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, May, McClure, McCulloch, McIntosh, Rahm, Smith of Jay, Spann, Voyles and Willard. Total, 25.



Those voting in the negative were:

Senators Bichowsky, Bundy, Fleming, Keiser, Overstreet, Ristine, Sayre, Van Vorhis, Yancey and Youche. Total, 10.

On demand of Senator Yancey, the roll was called for verification.

So the decision of the Chair was ordered to stand.

Senator Spann moved to reconsider the vote.

Senator Bell raised the point of order that the motion was not in order when the Senate was acting on the order for the previous question.

The point of order was overruled by the Chair.

Senator Bell moved to lay the motion to reconsider the vote on the table.

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Bundy, Compton, Davidson, Ernest, Faulkner, Fleming, Fletcher, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, May, McClure, McCulloch, McIntosh, Rahm, Smith of Jay, Voyles and Willard. Total, 25.

Those voting in the negative were:

Senators Foulke, Graham, Henry, Keiser, Overstreet, Ristine, Sayre, Smith of Delaware, Yancey and Youche. Total, 10.

So the motion was adopted.

Senator Bundy moved to reconsider the vote.

The point of order was raised, that the motion was not in order when acting under the demand for the previous question.

The point was sustained by the Chair.



The question being as stated by the Chair on the first part of the motion, to take up and read first time House Bill No. 133.

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Ernest' Faulkner, Fletcher, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, May, McClure, McCulloch, McIntosh, Rahm, Smith of Jay, Spann, Voyles and Willard. Total, 24.

Those voting in the negative were:

Senators Bundy, Fleming, Foulke, Henry, Overstreet, Ristine, Sayre, Van Vorhis, White and Yancey. Total, 10.

So the motion was adopted.

Senator Foulke raised the point of order that the latter part of the motion is surplusage.

The point of order was sustained by the Chair.

Senator Spann moved to reconsider the vote by which the motion of Senator Brown was adopted.

Senator Brown raised the point of order that the motion was not in order until the order for the previous question had been exhausted and the bill read.

The Chair overruled the point of order.

Senator Foulke moved to adjourn.

The Chair held the motion out of order.

Senators Foulke and Bundy appealed from the decision of the Chair.

The question being, Shall the decision of the Chair be sustained?



The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Ernest, Faulkner, Fletcher, Henry, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, May, McClure, McCulloch, McIntosh, Rahm, Smith of Jay, Voyles and Willard. Total, 24.

Those voting in the negative were:

Senators Bichowsky, Bundy, Fleming, Foulke, Graham, Overstreet, Ristine, Sayre, Spann, Van Vorhis, White and Yancey. Total, 12.

So the decision of the Chair was sustained.

The question being, Shall the vote by which the motion of Senator Brown was adopted be reconsidered?

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bichowsky, Bundy, Fleming, Foulke, Graham, Henry, Overstreet, Ristine, Sayre, Van Vorhis, White and Yancey. Total, 12.

Those voting in the negative were:

Senators Bell, Benz, Brown, Compton, Davidson, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, May, McClure, McCulloch, McIntosh, Rahm, Smith of Jay, Spann, Voyles, and Willard. Total, 24.

So the motion to reconsider was lost.



Senator Spann moved that Senate Bill No. 72 be read in lieu of House Bill No. 133.

Which motion was held by the Chair out of order, and the Chair ordered House Bill No. 133 read.

House Bill No. 133 was read a first time.

When Senator Foulke moved to reject the bill.

Senator Foulke yielded to Senator Bundy, who moved that the Senate adjourn.

Which was rejected.

Senator Bell moved to lay the motion of Senator Foulke, to reject the bill, on the table.

The Chair held that Senator Foulke had the floor, and that the motion of Senator Bell was out of order.

Senator Bell took an appeal from the decision of the Chair for having recognized and held that Senator Foulke still had the floor after the motion to adjourn had been entertained and voted upon, and offered the following appeal:

The Chair having overruled the point of order made by the Senator from Allen, we, the undersigned, appeal from said decision of the Chair to the judgment of the Senate.

J. B. BROWN.

R. C. BELL.

The Chair ruled that there was nothing from which to appeal.

When Senator Brown appealed from that decision, and his right being recognized by the Chair, the appeal was allowed, and the question was stated to be, Shall the decision of the Chair be sustained as the judgment of the Senate?

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Bundy, Fleming, Foulke, Graham, Henry, Keiser, Overstreet, Van Vorhis, Yancey and Youche. Total, 9.



Those voting in the negative were :

Senators Bell, Benz, Brown, Davidson, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Rahm, Smith of Jay, Voyles and Willard. Total, 24.

So the decision of the Chair was overruled.

The Chair held that having recognized Senator Foulke it had no power to withdraw the recognition, and Senator Foulke was allowed to proceed.

On motion of Senator Magee the bill was referred to the Committee on Judiciary.

Senator Spann moved that House Bill No. 419 be taken up and read a first time by sections, second time by title, and third time by sections, and placed upon its passage.

Senator Brown moved that the Senate do now adjourn.

The ayes and nays being demanded and taken, resulted as follows :

Those voting in the affirmative were :

Senators Bell, Brown, Compton, Davidson, Ernest, Faulkner, Fletcher, Hill, Hutchinson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Smith of Jay, and Youche. Total, 18.

Those voting in the negative were :

Senators Benz, Bichowsky, Bundy, Fleming, Foulke, Graham, Henry, Hilligass, Hoover, Johnston, Johnson, Keiser, Rahm, Ristine, Spann, Van Vorhis, Voyles, White and Yancey. Total, 19.

So the motion was lost.



The President of the Senate presented the following telegrams:

NEW ALBANY, February 19, 1883.

*To Lieutenant Governor Hanna, Senate Chamber:*

River falling rapidly, and great destruction of property is feared. Many buildings on river front liable to cave into river.

M. McDONALD,  
M. M. HURLEY,  
THOS. HANLON.

Also the following, dated:

NORTH VERNON, IND., Feb. 19, 1883.

*To Thomas Hanna:*

The Senate Relief Committee went from here to Lawrenceburg to-day, and hope to return to Indianapolis to-night, and report to the Senate to-morrow.

W. C. DUNCAN.

The ayes and nays being demanded and taken, on Senator Spann's motion to suspend the rules, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Bichowsky, Brown, Bundy, Compton, Fleming, Foulke, Graham, Henry, Hill, Hoover, Johnston, Johnson, Keiser, May, McClure, Null, Rahm, Ristine, Van Vorhis, Voyles, White, Willard and Yancey. Total, 24.

Those voting in the negative were:

Senators Bell, Davidson, Ernest, Faulkner, Fletcher, Hilligass, Howard, Hutchinson, Magee, Marvin, McCulloch, McIntosh, Smith of Jay, and Youche. Total, 14.

So the motion was lost.



Senator Benz presented the two following telegraphic dispatches from the people of the flooded districts bordering on the Ohio river:

NEW ALBANY, Feb. 19, 1883.

*To Hon. John Benz, Senator :*

Word sent, as requested by you, along the river; Corydon and other cities in great distress. Do all you can for the suffering, which is great.

W. C. DEPAUW,  
THOMAS HANLON.  
M. McDONALD.

CORYDON, IND., Feb. 9, 1883.

*To Hon. John Benz, Senator; Hon. W. B. Mauck, Representative:*

A meeting of the citizens was held here yesterday to take into consideration the suffering of the people of our county on account of the flood in the Ohio river. As you are aware, the county borders on the river sixty miles, perhaps a greater distance than any other county in the State. The greater portion of the buildings and grain held by the farmers have been destroyed, and there is great suffering and need.

The undersigned, committee of relief, especially request W. Q. Gresham, and all the proper authorities who dispose of the appropriation made by the Legislature, to secure for us all aid they can afford us from their appropriation.

The houses in Mauckport and New Amsterdam are almost entirely under water, and many are gone.

[Answer.]

THOMAS MCGRain,  
H. S. WOLF,  
SAMUEL J. WRIGHT,  
G. W. APPLGATE,  
F. M. HARRIS,

Committee.

On motion of Senator Rahm, the Senate adjourned.

THOMAS HANNA,  
President of the Senate.



## TUESDAY MORNING.

FEBRUARY 20, 1883.

Senate met at 10 o'clock, Lieutenant Governor Hanna in the Chair.

The reading of the Journal was being proceeded with when, on motion of Senator Yancey, the further reading of the minutes was dispensed with.

Senator Benz moved a call of the Senate.

It was so ordered.

Those present and answering to their names were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Fleming, Fletcher, Foulke, Graham, Henry, Hoover, Hutchinson, Johnston, Johnson, Lockridge, Lindley, Magee, Marvin, May, McCulloch, McIntosh, Overstreet, Richardson, Sayre, Smith of Delaware, Smith of Jay, Spann, Voyles, White, Willard, Yancey and Youche. Total, 36.

Those absent were:

Senators Brown, Ernest, Faulkner, Hill, Hilligass, Hostetter, Howard, Keiser, Macartney, McClure, Null, Rahm, Ristine and Van Vorhis. Total, 14.

The further calling of the roll was dispensed with.

Senator Spann moved to take up the notice of Senator Voyles, served yesterday, in regard to changing the rules.

The motion was withdrawn.

Engrossed House Bill No. 66 was taken up and read a first time.

Senator Sayre moved the constitutional rule be suspended, the bill read a second time by title, a third time by sections, and placed upon its passage.



The ayes and nays were taken, with the following result:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Fleming, Foulke, Fletcher, Graham, Henry, Hoover, Howard, Hutchinson, Johnson, Lockridge, Lindley, Magee, Marvin, May, McIntosh, Overstreet, Richardson, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White, Yancey and Youche. Total, 36.

Senator Willard voting in the negative.

So the motion was adopted, and the constitutional rule suspended.

The bill was read a second time by title, and a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Fleming, Fletcher, Foulke, Graham, Henry, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Lockridge, Lindley, Magee, Marvin, May, McIntosh, Overstreet, Richardson, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White, Yancey and Youche. Total, 38.

Senator Willard voting in the negative.

So the bill passed.

The title was adopted as read.

Engrossed House Bill No. 67 was read a first time.

Senator Hilligass moved that the constitutional rule be suspended, the bill read a second time by title, a third time by sections, and placed upon its passage.



The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Fleming, Fletcher, Foulke, Henry, Hilligass, Hoover, Howard, Hutchinson, Johnson, Lockridge, Lindley, Magee, Marvin, May, McIntosh, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White, Yancey and Youche. Total, 36.

Those voting in the negative were:

Senators Hill and Willard. Total, 2.

So the motion was adopted and the constitutional rule suspended.

The bill was read a second time by title, and a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken with the following result:

Those voting the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Fleming, Fletcher, Foulke, Graham, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnson, Lockridge, Lindley, Magee, Marvin, May, McCulloch, McIntosh, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White, Yancey and Youche. Total, 39.

Those voting in the negative were:

Senators Rahm and Willard. Total, 2.

The bill passed.

The title was adopted as read.



Senator Spann moved that House Bill No. 419 be taken up, the constitutional rule suspended, the bill read a first time, a second time by title, a third time by sections, and placed upon its passage.

The ayes and nays being taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Brown, Bundy, Compton, Graham, Henry, Howard, Johnston, Johnson, May, McClure, Rahm, Sayre, Spann, Van Vorhis, Voyles, Willard and Yancey. Total, 20.

Those voting in the negative were:

Senators Bell, Campbell, Davidson, Duncan, Ernest, Fleming, Fletcher, Foulke, Hill, Hilligass, Hoover, Hutchinson, Lockridge, Lindley, Marvin, McCulloch, McIntosh, Overstreet, Richardson, Smith of Delaware, Smith of Jay, White and Youche. Total, 23.

The motion to suspend the constitutional rule was rejected.

By unanimous consent, the bill was read a first time and referred to the Committee on Finance.

Senator Adkinson moved, in accordance with his notice, to reconsider the vote on Senate Bill No. 62.

The question being, Shall the vote be reconsidered?

It was so ordered.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Bichowsky, Davidson, Fleming, Fletcher, Henry, Hill, Hoover, Lockridge, Magee, Marvin, Overstreet, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, White, Willard and Yancey. Total 21.



Those voting in the negative were:

Senators Adkinson, Benz, Bundy, Campbell, Compton, Duncan, Ernest, Faulkner, Hilligass, Howard, Hutchinson, Johnston, Johnson, Lindley, May, McClure, McCulloch, McIntosh, Rahm, Richardson, Voyles and Youche. Total, 22.

So the bill failed.

Senator Spann called up his motion of yesterday, being as follows:

MR. PRESIDENT:

I move that the following protest, which has become a part of the record of this Senate, be expunged and stricken out of the Senate Journal.

SPANN.

MR. PRESIDENT:

The undersigned Senators respectfully present this their protest against the action of the Senate, in voting to adjourn from to-day over until 2 o'clock, p. m., on Monday of next week, for the following reasons, and ask that the same may be spread at length upon the Journals of the Senate:

1. Because the files of the Senate are burdened with business awaiting the action of the Senate, much of which ought to be disposed of by sitting during the time over which the Senate has adjourned.

2. Because the people of Indiana expect and have the right to expect and demand that the present General Assembly shall attend strictly to the disposal of business affecting the public interest, accomplish its work within the time fixed for the regular session, in the interest of economy, and not render a special session necessary.

4. Because the action of the Senate, in determining upon said adjournment, tends, in effect, to render a special session of the General Assembly necessary.



5. Because there is no public necessity for such adjournment.

Respectfully submitted,

J. P. McINTOSH,  
Davies and Greene.

R. C. BELL,  
Allen and Whitley.

W. J. HILLIGASS,  
Huntington and Wells.

J. E. McCULLOCH,  
Posey and Gibson.

E. P. RICHARDSON,  
Warrick and Pike.

W. B. HUTCHINSON,  
Laporte.

L. S. NULL.

FRED. HOOVER.

C. JOHNSTON.

JOSHUA ERNEST.

H. J. MAY.

W. H. DAVIDSON.

FRANCIS JOHNSON.

The point of order was raised that the motion was not in order.

Pending any decision on the point of order, Senator Bell moved to lay the motion on the table.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Brown, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, May, McClure, McCulloch, McIntosh, Rahm and Richardson. Total, 19.



Those voting in the negative were:

Senators Adkinson, Benz, Bichowsky, Bundy, Campbell, Compton, Fleming, Foulke, Graham, Henry, Howard, Keiser, Lockridge, Lindley, Magee, Marvin, Overstreet, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 28.

So the motion was lost.

The question being, Shall the motion be adopted?

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Bundy, Campbell, Compton, Fleming, Fletcher, Foulke, Graham, Henry, Howard, Keiser, Lockridge, Lindley, Macartney, Magee, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 28.

Those voting in the negative were:

Senators Bell, Brown, Davidson, Duncan, Ernest, Faulkner, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay. Total, 20.

So the motion was adopted.

Senator Brown asked consent to have House Bill No. 381 read.

Which was given.

The bill was read a first time and referred to a special committee consisting of Senators Brown and Voyles.

Senator Bundy called up special order, Senate Bill No. 87, and offered the following amendment to the report of the committee:

MR. PRESIDENT:

I move to amend the report of the Committee on Benevolent and Reformatory Institutions on Senate Bill No. 87, by striking



out of said report all after line 11, and by striking out all after the word "bill," in line 8, to and including the word "bill," in line 10.

BUNDY.

Senator Foulke offered the following as a substitute for the amendment offered by Senator Bundy:

MR. PRESIDENT:

I move the following substitute for the amendment to the report of the committee on Senate Bill No. 87, as follows:

1. Strike out the word "two," in the title of said bill, and insert instead thereof the word "three."

2. Strike out all words preceding the word "supplied," in the fourth paragraph of the preamble, and insert in lieu thereof the following: "Whereas, the cities of Evansville, Richmond and Logansport, are."

In section 1, strike out the words "and also in Allen county," inserted after the word county, in line 5 of the printed bill, and insert instead thereof after it, said word "county," the following: "One in Wayne county and one in Cass county." Strike out of said section 1 the following words: "And also, one at, or near, the city of Ft. Wayne," and insert instead thereof the following: "One at, or near, Richmond, and one at, or near, Logansport."

Amend section 2 by striking out of said report the words "in each of said Asylums," after the word "patients," in line 13 of the printed bill, and inserting the following: "In the Asylum at Evansville, and 500 patients in each of the Asylums at Richmond and Logansport."

Amend section 6 by striking out the word "two," in line 1, and inserting the word "three."

Amend section 6 by striking out the words "Fort Wayne," where it first occurs in said section, and insert instead thereof the following: "Richmond, and one of the buildings at said city of Logansport."

Amend section 11 by striking out the word "two," in lines 2 and 3, and insert the word "three," instead thereof; also strike



out the figures "\$300,000," where they occur in the second and third lines of said section, and insert in lieu thereof the figures "\$400,000."

Senator Campbell offered the following as an amendment to the substitute offered by Senator Foulke:

MR. PRESIDENT:

- I move that in Senate Bill No. 87, and the amendment of the committee suggested thereto, the names of places where the contemplated asylums are to be located, be stricken from the bill, and instead thereof a committee to consist of the Governor, Lieutenant Governor, Secretary of State, Auditor of State, and Superintendent of the Insane Asylum, be instructed and delegated authority to select a location for each of the two asylums.

2. I move that the President appoint a special committee to amend the bill to make it conform to the above resolution, such committee to report at the earliest practical hour, and that as soon as such report is made, the consideration of Senate Bill No. 87 shall at once take precedence to all other business.

CAMPBELL.

Senator Bell moved that the bill, with pending amendments to committee's report, be referred to a special committee, consisting of Senators Voyles, Campbell, Magee, White, Foulke, Rahm and Bell, with instructions to report at 2 o'clock to-day.

Senator Brown offered the following amendment to the motion of Senator Bell:

"And that Evansville be selected by said committee as one of the locations for the erection of one of said asylums."

On motion of Senator Brown the Senate adjourned.



## AFTERNOON SESSION.

FEBRUARY 20, 1883.

The Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

Senator Johnson introduced Senate Bill No. 281, entitled :

A bill for an act abolishing contract convict labor and regulating the employment of the convicts of our State Prisons, and of the inmates of our Reformatory Schools, as well as providing for the maintenance of said institutions. Also, repealing all laws in conflict herewith, and declaring an emergency; and from the Committee on Prison Labor made the following report:

MR. PRESIDENT:

Your Special Committee, to whom were referred the resolutions of Senator Johnson, on the subject of contract convict labor, beg leave to make the following report:

The resolutions themselves qualified the present system of letting out the labor of the convicts of our penitentiaries and of the inmates of our reformatory schools as an outrage and a wrong, fully characterized by the significant words "cheap slave labor." The duty devolved upon your committee, first, to investigate whether the convict labor system as at present carried on in our penitentiaries really created the great injustice both to manufacturers and free laboring men claimed for it in the resolutions; and second, if the wrong and injustice really existed, to find the remedy and apply it.

After a careful, impartial and painstaking investigation of this difficult and complex question, your committee has come to the conclusion that the wrong claimed for it really does exist, and calls for a speedy and radical remedy. Perhaps nothing can give so clear and correct an idea of the immense injury done by the present system of employing our peniten-



tiary convicts, both to the manufacturers and the working men and mechanics of our State, as a comparison of the net cost of the labor in various articles of manufacture produced under the convict system with the net cost of the same labor of free and respectable men.

Your committee find the following:

Two shoemakers employed in a free factory will bottom one dozen pairs of common boots per day, for which they receive \$3.75. In the penitentiary, two shoemakers hired out to a contractor will also bottom one dozen pairs of common boots per day, for which labor the contractor pays fifty cents a man, or \$1 for the two men. This is for ordinary heavy boots. Two free shoemakers will bottom one dozen pairs of fine boots in one day for \$5. Two shoemakers in the prison will also bottom one dozen pairs of fine boots in one day, but hired out at fifty cents a day, the aggregate amount of their labor is only \$1. One shoemaker employed in a free factory will side up from fifteen to twenty-one pairs of boots each day at from \$1.20 to \$1.40 per day. One shoemaker in the prison will also side up from fifteen to twenty-one pairs of boots each day, and the price for his labor is fifty cents.

One shoemaker employed in a free factory will "tree" from four to five dozen pairs per day at from eighty cents to \$1 per day. One shoemaker in the prison will also tree from four to five dozen pairs per day at fifty cents per day.

We might extend this list of comparisons indefinitely, but will only refer to one other manufacture where convict and free labor are conflicting, to the great detriment of the latter.

A good five cent cigar is, on an average, manufactured in this State at the following prices: Work, \$8.00; revenue stamps, \$6.00; boxes, \$1.00; stripping, 50 cents; packing, \$1.00; tobacco, \$6.00. Total, \$22.50.

The prison cigar, which is presumed to be the same article, by the smoker at least, is manufactured at the following cost: Labor, from \$2.50 to \$3.00; stamps, \$6.00; boxes, 50 cents; packing, 50 cents.



Prison made cigars sell generally for from \$12.50 to \$20.00; but, to bring the latter price, the cigar must be of extra fine quality.

Another great injustice is created by the present mode of letting out the contracts, the latter giving to one contractor the exclusive right to employ laborers in one branch of industry, thereby virtually creating a monopoly for that one contractor, and handing him over all additional convicts, to be employed at his own prices.

And still another wrong is engendered by the omission in the present law to fix a minimum price for the contractor's bid for convict labor.

After your committee had satisfied itself beyond any doubt that a cruel wrong and an unpardonable injustice is being done to the manufacturers who employ only free labor in their workshops, and to the laborers who struggle hard and without hope, and often without sufficient employment to provide for their families against this unfair and ruinous competition, which cramps their means and, if they do not want their families to starve, compels them to engage in other business. Then the difficulty presented itself: How can this wrong be remedied? Is there a way which will abolish and obliterate it, or must we, while condemning and denouncing the principle, compromise with it, and merely, for the time being, modify and moderate its disastrous consequences?

The total number of convicts and inmates of our penitentiaries and reformatory schools amount to about 1,800 persons. There are ninety-two counties in the State, so that on an average each county in the State furnishes about twenty inmates of the penal institutions; some counties commit hardly any, others quite a number. The committee recommend that the burden of expense for sustaining these institutions be fairly and equitably divided among all the counties of the State, and among all of the taxpayers of the State, instead of pressing with fatal and destructive weight upon a few manufacturers and their employes. The committee recommend, Mr. President, that every county in the State is to be held liable for the support of the number of convicts to the penitentiaries. Divided up in this



manner among all the taxpayers of the State, the burden thereby imposed upon every individual taxpayer is merely nominal; it will hardly be one-tenth of one per cent. of the taxable property. The State, it is true, assumes a slight burden, but to offset that burden the State performs an act of justice toward its industries, and those engaged in them, which is imperatively demanded, and can no longer be disregarded in the future as it has been disregarded in the past. The committee have the honor to recommend the passage of the annexed bill, which, in their opinion, embodies the correct remedy for the great wrong, as engendered by the present contract system of convict labor.

Respectfully,

FRANCIS JOHNSON,  
W. D. FOULKE.

The bill, with report thereon, was read a first time, and 200 copies of both the report and the bill were ordered printed.

Senator Johnson moved the bill be made a special order for Friday next, at 2 o'clock P. M.

The ayes and nays were demanded and taken, and resulted as follows :

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Compton, Fletcher, Foulke, Henry, Hoover, Hutchinson, Johnson, Keiser, Magee, May, Null, Richardson, Ristine, Sayre, Spann, Van Vorhis, White, Willard and Mr. President. Total, 22.

Those voting in the negative were:

Senators Bichowsky, Brown, Bundy, Campbell, Davidson, Duncan, Ernest, Faulkner, Fleming, Hill, Hilligass, Johnston, Macartney, Marvin, McClure, McCulloch, McIntosh, Overstreet, Rahm, Voyles and Youche. Total, 21.

The motion was rejected.



Senator Ernest, from Committee on Enrolled Bills, reported on Senate Bill No. 29, as follows:

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 29, with Enrolled Senate Act No. 29, Senate, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

Senator Magee moved that Senate Bill No. 236 be made a special order for to-morrow at 10:30 A. M.

It was so ordered.

Senator Campbell moved that 200 copies of Senate Bill No. 247 be printed.

It was so ordered.

Senator Campbell moved that the bill be made a special order for Friday, at 10:30 A. M.

Senator Spann moved to amend by including Senate Bill No. 247, and all bills on the same subject.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Compton, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hilligass, Hoover, Hutchinson, Johnson, Keiser, Macartney, Magee, May, Null, Overstreet, Rahm, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, White, Yancey and Youche. Total, 31.

Those voting in the negative were:

Senators Bell, Benz, Brown, Davidson, Duncan, Ernest, Hill, Johnston, McClure, McCulloch, McIntosh, Richardson, Voyles and Willard. Total, 14.

So the motion was adopted.



Senator Voyles called up his notice, given by him yesterday, in reference to amending the rules of the Senate.

Which was read.

Senator Voyles moved its adoption, and demanded the previous question.

The question was stated by the Chair to be, Shall the motion be adopted?

Senator Spann rose to a point of order that the motion could not be taken up except in its regular order, and that it was not in order to consider it now.

The point of order was overruled by the Chair.

The Chair held it to be in order at any time.

Further consideration was, by consent, postponed.

The Chair announced that he had signed Enrolled Act of the Senate No. 29.

Senator McCulloch called up special order of business, it being Senate Bill No. 19.

When, on motion, it was postponed and made special order for 10:30 o'clock to-morrow morning.

Senator Brown withdrew his amendment to the motion of Senator Bell.

Senator Bundy offered the following as a substitute for the motion of Senator Bell:

MR. PRESIDENT:

I move as a substitute for the motion of the Senator from Allen and Whitley, that a special committee of six be appointed by the Chair, and that the bill and pending amendments be committed to said committee with instructions to select Evansville as one of the points for the location of an asylum, and that the bill be otherwise amended so as to provide for one additional point for the location of an asylum, and that said point be left blank for the further consideration of the Senate.



Senator Van Vorhis moved to amend the substitute by striking out all that part referring to Evansville, as follows:

MR. PRESIDENT:

I move to amend the substitute offered by the Senator from Henry, by striking out all reference to Evansville.

VAN VORHIS.

Senator Bundy was given leave and withdrew the substitute he offered to the motion of Senator Bell.

Senator Bundy then offered the following amendment to the motion of Senator Bell:

MR. PRESIDENT:

I move to amend the motion of the Senator from Allen and Whitley by striking out the names of the committee, and providing for the appointment of a committee by the Chair, of the same number.

BUNDY.

Senator Magee moved the previous question.

It was seconded.

The question being, Shall the main question be put?

It was so ordered.

The question being on the amendment offered by Senator Bundy to Senator Bell's motion.

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Bundy, Henry, Hoover, Magee, Spann, Van Vorhis and Youche. Total, 8.

Those voting in the negative were:

Senators Adkinson, Bell, Bichowsky, Brown, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Hill, Hilligass, Howard, Johnston,



Johnson, Keiser, Lockridge, Macartney, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Voyles, White, Willard and Yancey. Total, 39.

The motion was lost.

The question being on the adoption of Senator Bell's motion.

The ayes and nays were demanded, and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Brown, Campbell, Compton, Davidson, Faulkner, Fleming, Fletcher, Foulke, Graham, Hilligass, Hoover, Johnston, Johnson, Lockridge, Macartney, Marvin, McClure, McCulloch, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Van Vorhis, Voyles and White. Total, 28.

Those voting in the negative were:

Senators Benz, Bichowsky, Bundy, Ernest, Henry, Hill, Howard, Hutchinson, Keiser, Lindley, Magee, May, McIntosh, Smith of Jay, Spann, Willard, Yancey and Youche. Total, 18.

So the motion prevailed.

Senator Fletcher, by unanimous consent, was added to the committee.

Engrossed House Bill No. 74, being an act to amend section 372 of an act entitled "An act concerning proceedings in civil cases," approved April 7, 1881, and declaring an emergency, was taken up and read a first time, and referred to the Committee on Judiciary.

Senator Van Vorhis called up special order, being Senate Bill No. 153, and the report of the committee thereon.

The question being on the adoption of the minority report of the committee.

It was rejected.



The question being, Shall the majority report be concurred in?

It was so ordered.

The following messages were received, and read, from the House, at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Concurrent Resolution No. 13, in relation to the increase of pensions of our one-armed soldiers, and other matters connected herewith, and the same is herewith transmitted to the Senate for action thereon.

EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the Speaker has signed House Enrolled Acts Nos. 66 and 67, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

The President of the Senate announced that he had signed enrolled act of the House, No. 66, and enrolled act of the House No. 67.

Senator Marvin called up Enrolled House Bill No. 27, which was read a second time, with the report of the committee thereon.

The report of the committee was concurred in.

Senator Marvin moved that the constitutional rule be suspended, the bill read a third time by sections and placed upon its passage.



The ayes and nays were taken with the following result:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Brown, Bundy, Compton, Davidson, Duncan, Fleming, Graham, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Willard, Yancey and Youche. Total, 39.

No Senator voted in the negative.

So the motion was adopted.

The bill was read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Brown, Bundy, Compton, Davidson, Duncan, Fleming, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Marvin, May, McClure, McCulloch, Null, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Yancey and Youche. Total, 36.

No Senator voted in the negative.

So the bill passed.

The title was adopted as read.

House Bill No. 5 (engrossed), an act concerning town elections, repealing all laws in conflict therewith, and declaring an emergency, was read a first time.

Senator McCulloch moved that the constitutional rule be suspended, the bill read a second time by title, a third time by sections, and placed upon its passage.



The ayes and nays were taken, with the following result:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Brown, Bundy, Compton, Davidson, Duncan, Faulkner, Fleming, Graham, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Marvin, May, McClure, McCulloch, Null, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Van Vorhis and Youche. Total, 36.

No Senator voting in the negative.

So the motion was adopted.

Senator Henry asked leave of absence for Senator McIntosh until to-morrow at 10 o'clock A. M., and stated that he was paired with him on all political questions.

Which was granted.

The bill (H. B. No. 5) was read a second time by title, and a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Brown, Bundy, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Graham, Henry, Hilligass, Hoover, Howard, Hutchinson, Johnson, Keiser, Lockridge, Lindley, Macartney, Marvin, May, McClure, McCulloch, Null, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis and Youche. Total, 35.

No Senator voting in the negative.

So the bill passed.

The title was adopted as read.



Senator Van Vorhis moved to take up Senate Bill No. 244, and to suspend the constitutional rule, read a second time by title, a third time by sections, and placed upon its passage.

The ayes and nays being taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Brown, Bundy, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Graham, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Marvin, May, McClure, McCulloch, Null, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis and Youche. Total, 37.

No Senator voted in the negative.

So the motion was adopted.

The bill was read a second time, with the report of the committee thereon.

The report was concurred in, and the bill ordered considered engrossed as amended.

The bill was read a third time by sections.

The question being shall the bill pass?

The ayes and nays were taken with the following result:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Bundy, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Graham, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Marvin, May, McClure, McCulloch, Null, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Yancey and Youche. Total, 36.

Senator Benz voted in the negative.

So the bill passed.

The title was adopted as read.



The following message was received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Senate Engrossed Bill No. 102, and amendments thereto, to amend the Feeble Minded Children Incorporation Act, and other matters in connection therewith, and declaring an emergency, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Senator Brown asked, and was given unanimous consent, that the Engrossed Senate Bill No. 102, with the message of the House thereon, and the following House amendments, to-wit:

Engrossed House amendments to Senate Bill No. 102, February 20:

Amend the title of the bill by adding to the same the following words:

"Approved March 15, 1879," (the sections amended being sections 2811 and 2814 of Revised Statutes of 1881) and declaring an emergency.

Amend further: After the words and figures "section one (1)," in line 3 of section 1, insert the following:

Of an act entitled, "An act to provide for the organization and support of an Asylum for Feeble-Minded Children; to provide for the appointment by the Governor of a Board of Trustees of the Soldiers' Orphans' Home, and for said Asylum, and to abolish the office of Trustee of the Soldiers' Orphans' Home, and to repeal the act on the same subject," approved March 7, 1879, and declaring an emergency, approved March 15, 1879.

Also strike out the words "of the above entitled act," in lines 2 and 3, in section 1.



Also amend by inserting "1883" instead of "1879," in line 2, from the bottom on page 3, section 1.

Be made a special order for to-morrow at 11 o'clock A. M.

It was so ordered.

Engrossed House Bill No. 2 was read a first time.

An act legalizing the acknowledgment and recording of certain instruments of writing.

Which was ordered to remain on file.

Engrossed House Bill No. 13 was read a first time.

Concerning the use of fire arms.

Which was referred to the Committee on Rights and Privileges.

Engrossed House Bill No. 10 was read a first time.

An act entitled, "An act to amend section 196 of an act entitled, 'An act concerning proceedings in criminal cases,'" approved April 19, 1881.

Which was referred to the Committee on the Judiciary.

Engrossed House Bill No. 22 was read a first time.

An act to legalize the assessment of taxes made by the Board of Trustees of the incorporated town of Winchester.

Senator McCulloch moved that the constitutional rule be suspended, the bill read a second time by title, a third time by sections, and placed it upon its passage.

The ayes and nays being taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Bundy, Compton, Davidson, Duncan, Ernest, Fleming, Graham, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lock-



ridge, Lindley, Macartney, Marvin, May, McClure, McCulloch, Null, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Yancey and Youche. Total, 35.

Senator Faulkner voted in the negative.

So the rules were suspended.

The bill was read a second time by title, and a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Bundy, Compton, Davidson, Duncan, Ernest, Fleming, Graham, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Marvin, May, McClure, McCulloch, Null, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Yancey and Youche. Total, 36. •

Senator Faulkner voted in the negative.

So the bill passed.

The title was adopted as read.

Senator Macartney moved to take up Senate Bill No. 34, to suspend the constitutional rule, to read the bill a second time by title, with the report of the committee thereon, to read the bill a third time by sections and place it upon its passage.

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bundy, Compton, Davidson, Duncan, Ernest, Fleming, Graham, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Marvin, May, McClure, McCulloch, Null, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Yancey and Youche. Total, 35.

Senator Faulkner voting in the negative.

So the rules were suspended.



The bill was read a second time by title, with the report of the committee thereon.

The report of the committee was concurred in.

The bill was read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken with the following result:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Brown, Bundy, Compton, Davidson, Duncan, Fleming, Graham, Henry, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Marvin, May, McCulloch, Null, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Yancey and Youche. Total, 32.

Senator Faulkner voting in the negative.

So the bill passed.

The title was adopted as read.

Senator Ristine moved that the constitutional rule be suspended, and take up Senate Bill No. 105, "An act to legalize the incorporation of Waynetown, Indiana," etc., that it be read a second time by title, a third time by sections, and put upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Brown, Bundy, Compton, Davidson, Duncan, Ernest, Fleming, Graham, Henry, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Marvin, May, McClure, McCulloch, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Yancey and Youche. Total, 35.

Those voting in the negative were:

Senators Faulkner and Null. Total, 2.

So the rules were suspended.



The bill was read a second time by title, with the report of the committee thereon.

The report of the committee was concurred in.

The bill was read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Benz, Bichowsky, Brown, Bundy, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Foulke, Graham, Henry, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Marvin, May, McClure, McCulloch, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White, Yancey and Youche. Total, 42.

Senator Faulkner voting in the negative.

So the bill passed.

The title was adopted as read.

Senator Benz moved to take up Senate Bill No. 200 and read it a second time.

It was so ordered.

The bill was read a second time, with the report of the committee thereon.

The report of the committee was concurred in and the bill was ordered to be engrossed.

Senator Hilligass moved to take up House Bill No. 413, entitled :

An act for the relief of Weems Heagg, former Treasurer of Madison county, Indiana, and his bondsmen, etc., and declaring an emergency.

That it be read a first time and a second time by title, a third time by sections, and placed upon its passage.



The ayes and nays were taken, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Marvin, McClure, McCulloch, Null, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 44.

No one voting in the negative.

So the rules were suspended.

The bill was read a first time by sections, a second time by title, a third time by sections.

The question being, Shall the bill pass ?

The ayes and nays were taken, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Duncan, Ernest, Faulkner, Fleming, Fletcher, Graham, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, McClure, McCulloch, Overstreet, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 40.

Those voting in the negative were :

Senators Davidson, Null and Richardson. Total, 3.

So the bill passed.

The title was adopted as read.

On motion of Senator Brown the Senate adjourned.

THOMAS HANNA,

President of the Senate.



## WEDNESDAY MORNING.

FEBRUARY 21, 1883.

Senate met at 9 o'clock, Lieutenant Governor Hanna in the Chair.

The reading of the Journal was being proceeded with when, on motion of Senator Compton, the further reading of the minutes was dispensed with.

Senator Compton was given consent to call up Senate Bill 174, which was read a second time, with the report of the committee thereon.

The report of the committee was concurred in.

Senator Voyles offered the following amendment to the bill:

That after the word "court," in section 1, the words be inserted, "one of such Commissioners shall be selected from each Supreme Court District of the State."

VOYLES.

Which was adopted and the bill ordered engrossed.

Senator Compton moved that the constitutional rule be suspended, the bill read a third time and placed upon its passage.

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Campbell, Compton, Davidson, Ernest, Fletcher, Graham, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Macartney, Magee, Marvin, May, McClure, McIntosh, Overstreet, Richardson, Sayre, Smith of Jay, Spann, Van Vorhis, Voyles, White, Yancey and Youche. Total, 35.



Those voting in the negative were:

Senators Duncan, Faulkner, Henry, Hill, McCulloch and Null. Total, 7.

So the rules were suspended.

The bill was ordered considered engrossed.

The bill was read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Campbell, Compton, Davidson, Ernest, Fleming, Fletcher, Graham, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston Johnson, Lockridge, Macartney, Magee, Marvin, May, McClure, McIntosh, Null, Overstreet, Rahm, Richardson, Smith of Delaware, Van Vorhis, Voyles and Yancey. Total, 34.

Those voting in the negative were:

Senators Duncan, Faulkner, Henry, Keiser, McCulloch, Sayre and Willard. Total, 7.

So the bill passed.

The title was adopted as read.

Senator White was given consent to take up Senate Bill No. 163.

Which was read a second time, with the report of the committee thereon.

The report of the committee was concurred in, and the bill ordered engrossed.

Senator McCulloch was given consent to submit a memorial from John K. Warders.

Which was referred to the Committee on Claims, without reading.



Senator Voyles, from the special committee on Insane Hospital, made the following majority report:

MR. PRESIDENT:

Your committee, to whom was referred Senate Bill No. 87, with instructions, having considered the same, a majority of said committee have instructed me to return said bill to the Senate with a recommendation that all after the enacting clause should be stricken out, and the following inserted, to-wit:

That the Governor shall, immediately upon the taking effect of this act, appoint two commissioners from each of the two leading political parties, who, together with the Governor, who shall be *ex officio* a member, are hereby constituted a Board of Commissioners to superintend the location, the letting, the construction and the equipping of three Hospitals for the Insane, and none of such hospitals shall be within fifty miles of the city of Indianapolis. Such Commissioners shall hold their office for two years, and until their successors are appointed, unless sooner relieved by order of the Governor.

SEC. 2. It shall be the duty of such Board of Commissioners, after careful examination, to select in parts of the State hereinbefore mentioned, suitable sites for the location of three several Hospitals for the Insane, which selection, when made, shall be the places at which such hospitals shall be erected.

SEC. 3. When the places for the location of such hospitals shall have been fully agreed upon by such Board, or a majority thereof, the said Board of Commissioners shall, without delay, contract for the purchase of a tract of land not exceeding 160 acres at each location, which they shall procure to be deeded to the State of Indiana. Such Board of Commissioners may receive donations of money or real estate, where the same is donated to aid in the purposes contemplated by this act. In the event land should be donated, it shall be deeded to the State without words of defeasance. Such Board of Commissioners shall, after selecting the locations for such hospitals, advertise for sealed proposals for the erection and completion of such hospitals, upon such plan and specifications as may have been agreed on, embracing offices and buildings as may be necessary



to the complete establishment of such hospitals, for the comfort and safe keeping of patients. Such advertising must be done in not exceeding five newspapers, two of which shall be published in the county where such building is to be erected, and the others, such as will most likely call out competition in the matter of bids. Such Board may, if they deem it expedient, advertise and award contracts for portions of such building or buildings, but in such case the Board shall be governed by the requirements and restrictions of this act.

SEC. 4. At the time specified in such advertisement for the opening and examination of bids, the Board shall meet at the place designated, and they, together with the Governor, shall open and examine the bids and award the contract or contracts to the lowest responsible bidder whose bond they deem sufficient, or they may award portions of the work to such bidders if they shall deem it an advantage to the State to do so, and any and all bids and sealed proposals contemplated by this act shall be accompanied by a bond, payable to the State of Indiana, signed by sufficient resident freehold surety, with a penalty in a sum not less than double the amount of the bid or proposal. Such bond shall be conditioned, and must contain provisions in all respects like those required by law in cases for bidding upon county court houses, and such bond shall require the faithful performance of the work specified, if the contract be awarded under such bid or proposal. Upon the award of contract or contracts, the Board and the successful bidder or bidders shall enter into a carefully prepared contract, in pursuance of such award of contract, which written contract shall be filed and carefully preserved in the office of the Secretary of State: *Provided*, That neither of the Commissioners of the present Hospital for the Insane, the Superintendent, nor any of the officers or attendants, agent or employe thereof, or person connected therewith in anywise, nor any officers named herein, nor any relative of theirs or their wives, nor either of the Commissioners hereafter to be appointed by any provision of this act, shall contract for any portion of the work herein provided for, or have any interest, directly or indirectly, therein.

SEC. 5. When the work is so let, the Board of Commissioners aforesaid shall make out a written statement, under oath,



setting forth the number of bids presented, the name of each bidder, the nature and amount of his bid, and the action of said Board thereon; and shall state that neither of said Commissioners has received any bonus or gratuity of any nature or kind, or the promise thereof, in connection with or having reference to said lettings of said contract or contracts, and that they are not in any way interested in the proposal received or the contract made, and such statement, with the proposal or bids, shall be filed with and kept by the Secretary of State.

SEC. 6. A competent and skilful person shall be selected by said Board, with the approval of the Governor, for each of said hospitals, who shall remain on the hospital grounds and superintend the erection of said building, and see that the work is well and faithfully done according to contract, and shall make monthly estimates of the work done, under oath, which estimates, when approved by said Board, shall be filed with the Auditor of State, who shall draw his warrant upon the Treasurer of State for the amount of said estimates, less 10 per centum thereon; which amount of 10 per centum shall remain unpaid until the work is fully completed and accepted by said Board, when the Auditor shall draw his warrant therefor.

SEC. 7. Said Board shall have the power to declare all contracts made under this act void, when the work is not being done according to the contract, or the materials furnished are not furnished in quality or quantity, or in the time stipulated for in the contract; and shall, in such event, relet the work upon the same terms, except as to notice, as is provided in this act, and the substance of this section shall be set forth in each contract.

SEC. 8. The Board shall have power to remove, at any time, the person whose appointment is provided for in section six (6) of this act.

SEC. 9. The Board of Commissioners and the person whose appointment is provided for in section six of this act, shall be allowed each five dollars per day for all the time necessarily employed by them in the performance of the duties required by this act, and all necessary traveling expenses: *Provided*, That no Commissioner shall receive more than two hundred dollars per annum for his services.



SEC. 10. In order to carry out the provisions of this act there is hereby appropriated the sum of three hundred thousand dollars for the year 1883, and three hundred thousand dollars for the year 1884, out of any money in the Treasury not otherwise appropriated.

SEC. 11. The necessary expenses of said Hospitals, and the control and management thereof, shall be paid out of the State Treasury under such regulations and restrictions as may be adopted by the Board of Commissioners, and as far as practicable in conformity with the practice and usages of the present Hospital for the Insane.

SEC. 12. The Board of Commissioners shall have authority to appoint a Superintendent to take charge of the patients and hospital, to appoint a matron and such assistants and physicians, stewards, and other officers as may be needed for the efficient and economical administration of the affairs of the hospitals: *Provided*, That no one in any way related by birth or marriage nearer than the fourth degree of consanguinity to any members of the board, nor more than one of the same family, shall hold any position of trust or profit, by appointment or otherwise, in connection with either of said hospitals; and the compensation shall be the same as that now paid for similar services in the Hospital for the Insane.

SEC. 13. It shall be the duty of the Governor, as soon as any portion of said hospitals are completed and ready to receive patients, to make it known by proclamation, and patients may then be received; and the same rules and regulations shall govern the receiving, treatment and discharge of patients, as far as practicable, and be enforced in these hospitals, as now govern and are in force in the present Hospital for the Insane. *Provided, however*, That no patient shall be discharged from said hospitals until permanently cured. *And provided, also*, That the Governor and said Board of Commissioners shall prescribe such reasonable rules for the admission of patients as they may deem proper.

SEC. 14. The Commissioners provided for in this act, are hereby authorized, if they deem it expedient, to purchase, repair and equip, in a suitable manner, any existing building and



grounds thereunto attached, within the limits imposed by this act, that will be suitable to be transformed into a Hospital for the Insane. *Provided*, That not more than twenty-five thousand dollars shall be used in making such purchase, and in the event of such purchase the title shall be taken as hereinbefore mentioned.

SEC. 15. The capacity of each hospital mentioned in this act shall not be less than will accommodate 200 patients, and not greater than will accommodate 700 patients.

SEC. 16. All laws and regulations now in force, in reference to the government of the present Hospital for the Insane at Indianapolis, so far as the same can be made applicable to the government of these hospitals, are hereby continued in force for that purpose, and extended to these hospitals.

SEC. 17. Whereas, an emergency exists for the immediate taking effect of this act, therefore, the same shall take effect and be in force from and after its passage.

And that when said bill has been so amended, that said bill do pass.

VOYLES.

Senator Bell, from same committee, made the following minority report:

MR. PRESIDENT:

The undersigned, members of the special committee, to whom was referred Senate Bill No. 87, hereby report that they recommend the passage of the bill reported by the majority of said committee, with the following amendment, viz.:

Add to section 1 the following words: *Provided*, That one of said asylums shall be located and erected at or near the city of Evansville.

R. C. BELL,  
WM. RAHM, JR.,  
D. H. WHITE.



Senator Brown called up the special order, it being Senate Bill No. 1, and moved that said Senate Bill No. 1 be passed, notwithstanding the Governor's veto, and on that motion he demanded the previous question.

The question being, Shall the demand for the previous question be seconded?

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 28.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Graham, Henry, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 17.

So the demand was seconded.

The question being, Shall the main question be put?

It was so ordered.

The question being, Shall the bill pass, notwithstanding the Governor's veto?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Marvin, May, McClure, McCulloch, McIntosh, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 26.



Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Lockridge, Macartney, Magee, Null, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 21.

So the bill passed, notwithstanding the Governor's veto.

Senator Brown moved to reconsider the vote, and to lay that motion on the table.

The motion was adopted.

Senator Spann moved that the Committee on Finance be instructed to report on House Bill 419 at 2:10 o'clock to-day.

It was so ordered.

Senator Duncan, from the special committee appointed to visit the flooded districts, reported as follows:

MR. PRESIDENT:

Your committee appointed to visit the flooded districts of the Ohio river most respectfully submit, that in company with a like committee of the House they have visited the cities of New Albany, Jeffersonville, Madison, Aurora and Lawrenceburg.

That they find great destruction of property at these various points, and consequent poverty and distress amongst the citizens of Indiana living along the Ohio Valley.

But they found at all these points, while the people were in great need of aid, the various public and fraternal relief organizations were doing most excellent services in supplying the necessities of the people in food, clothing, fuel and medicines, and not a single person was found in all our travels who was suffering for these necessities of life.

From the best information we could obtain, we think that the following is a fair estimate of the situation at the various points visited by the committee:

Nearly all the factories at these points were submerged by the floods; some of them destroyed, all seriously damaged, and all closed down for at least from three to five weeks.



At New Albany there are at least 2,000 employes out of work by closing of factories.

There are, according to our best information, at this place about 4,000 persons who receive aid from public charity.

At Jeffersonville there are about 2,000 employes out of work, and about 6,000 persons receiving public charity.

At Madison there are 200 employes out of work and receiving public aid, and about 700 persons in all receiving aid at this point.

At Aurora 900 employes were thrown out of work by the floods, and there are in all 600 persons receiving aid.

At Lawrenceburg there are 2,300 employes out of work, and 3,000 persons receiving and depending upon public charity.

There are, then, according to these estimates, about 14,000 persons now receiving their supplies of the necessities of life from the relief committees at these visited points.

There are other localities in need of aid, which it was not possible for the committee in their limited time to visit.

The number now receiving aid will steadily decrease with the lapse of time and approach of mild weather, and will by such time be reduced, in our opinion, to such number as can be cared for by ordinary public and local charity.

W. C. DUNCAN.

L. S. NULL.

F. MACARTNEY.

Senator Graham presented the claims of Martin Smith, C. C. Pell, Mathias F. Goar, James Cavens, Henry Carr, Henry Goar, Jacob Platt, James A. Thomas, Preston Escue, Martin Kendell, A. J. Gobbin.

Which were referred to the Committee on Finance, without reading.



The following message was received from the House, at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 329, authorizing the Auditor of State to issue patents in certain cases, etc., and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

House Bill No. 302 was read third time.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT,  
INDIANAPOLIS, February 20, 1883. }

*Gentlemen of the Senate:*

On day before yesterday several gentlemen who were appointed for the purpose by the Board of Trade of Indianapolis, appeared before the State Relief Committee to represent the urgent necessity that the General Assembly shall pass the pending bill for a further appropriation for the relief of the sufferers from the floods. I annex to this communication a report of their statements. I am satisfied that the present appropriation is insufficient, and that a larger appropriation should be made. The present appropriation has thus far been used merely for purchasing food, clothing and medicines for sufferers. When the floods shall have subsided, the suffering from injuries to property of persons in very reduced circumstances, especially in towns that have been wholly or in great part submerged, will be found to be so great that it will appear manifest that some aid should be given to such persons to render their homes habitable.

If the General Assembly shall desire that part of the appropriations shall be applied in that manner, it should be so provided in the pending bill.

ALBERT G. PORTER.



## STATEMENTS OF THE REPRESENTATIVES OF THE BOARD OF TRADE.

Mr. Lynch—At a meeting of the Board of Trade, on Saturday last, the 17th inst., a committee consisting of Messrs. Landers, Shoemaker, Gallup and Lynch was appointed to represent their views with regard to the additional appropriation for sufferers by the flood. We are of the opinion that the appropriation should reach \$100,000, and that the bill which has passed the House should be passed by the Senate, appropriating \$100,000. This committee of the Board of Trade is in daily communication with all parts of the State that suffer from the flood, and their demands are greater than at any time since we commenced for bedding, clothing and actual necessities. We are hearing from Tell City and Cannelton, and the donations of private persons are not equal to the demand. We had \$40,000, and we have used \$20,000 of that. We believe the money will not be misused by the persons to whom it has been entrusted. We wish to make these statements, and recommend you to act as you think proper in regard to the bill now before the Senate.

Mr. Landers—There is a feeling among our people that Indiana should take care of herself. Our people are anxious to take care of themselves in this matter, and not to ask anything from the Federal government. Our theory is, that every city should take care of herself, and so of every town. We think it is possible for Indiana to take care of herself. I think the money will be in hands in which it will be taken care of. These people, however, do not need money as much as supplies.

Mr. Shoemaker—I desire only to corroborate what has been said. Public opinion is all one way in regard to the fitness of making an increased appropriation. The bill was drawn by the Judiciary Committee of the House.

Mr. Lynch—The amounts given by this committee are given in moderate sums, and upon proper vouchers.

Which was referred to the Committee on Finance.



Senator Magee moved that House Bill No. 302 be placed upon its passage.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bell, Bichowsky, Brown, Campbell, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnson, Lockridge, Magee, Marvin, May, McClure, McCulloch, Null, Rahm, Richardson, Smith of Delaware, Smith of Jay, Spann and Yancey. Total, 31.

Those voting in the negative were :

Senators Benz, Bundy, Compton, Graham, Henry, Johnston, Macartney, McIntosh, Ristine, Sayre, Van Vorhis, Voyles, White, Willard and Youche. Total, 15.

So the bill passed.

The title was adopted as read.

Senator Magee, from the Joint Committee on Public Buildings, reported as follows :

MR. PRESIDENT :

Your committee, to whom was referred the memorial of Mrs. Sarah May, introduced into the Senate on the 1st day of February, 1883, by Senator Van Vorhis, would respectfully submit the following report :

That your committee, it being the Joint Committee of the Senate and House of Representatives, have had the memorial under consideration, and have taken such steps as in their judgment would furnish your committee with information which would enable your committee to arrive at a just and proper conclusion in the premises, and after hearing the statements of persons familiar with all the facts in relation to the services rendered the State of Indiana by the late Edwin May, the architect of the State House now under construction, and more



especially the statements of the gentlemen composing the Board of Commissioners, under whose supervision said house is being built, and who are intimately acquainted with all the circumstances, facts and labors of said May in preparing and furnishing said plans, and mainly basing their judgment upon the recommendations of such Board, your Joint Committee do hereby unanimously report and recommend that there should be appropriated out of the funds of the State, for the benefit of said Sarah May, the sum of \$10,000, and that they further report a joint resolution directing the Auditor of the State of Indiana to draw his warrant for said amount in favor of said Sarah May.

RUFUS MAGEE,  
S. F. LOCKRIDGE,  
J. N. HUSTON,  
J. S. WHITSIT,  
WM. RAHM, JR.,  
J. W. SPAIN.

Senator Brown moved that the report of the committee be concurred in.

The ayes and nays being taken, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Fleming, Fletcher, Foulke, Graham, Henry, Hilligass, Hoover, Howard, Hutchinson, Johnston, Keiser, Lockridge, Macartney, Magee, May, McClure, Overstreet, Rahm, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Willard and Yancey. Total, 35.

Those voting in the negative were :

Senators Duncan, Ernest, Faulkner, Hill, Johnson, Marvin, McCulloch, McIntosh, Null, Richardson, Voyles and Youche. Total, 12.

So the report was concurred in.



The joint resolution referred to in the foregoing report was then read, which was as follows:

SECTION 1. *Be it resolved by the General Assembly of the State of Indiana,* That there is hereby allowed Mrs. Sarah May, wife of the late Edwin May, for services of said Edwin May as architect in the construction of the State House now in process of erection, the sum of \$10,000, and said amount is hereby appropriated out of any money in the Treasury not otherwise appropriated.

SEC. 2. The Auditor of State is hereby authorized to draw his warrant on the State Treasury for said amount.

Senator Brown moved that the constitutional rule be suspended and the joint resolution adopted.

Senator Bundy moved the previous question.

Which was seconded.

On the question, Shall the main question be put?

It was so ordered.

The question being, Shall the rules be suspended, the resolution be read a first, second and third time, and placed upon its passage?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Fleming, Fletcher, Foulke, Graham, Henry, Howard, Hutchinson, Keiser, Lockridge, Macartney, Magee, Overstreet, Rahm, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Willard and Yancey. Total, 31.

The following messages were received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Senate Bill No. 219, in relation to empower-



ing gaslight and water works companies to extend their pipes, and other matters connected therewith, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Clerk.

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Senate Bill No. 50, in relation to the official terms of the Directors of the State Prison North, and other matters connected therewith, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Clerk.

Those voting in the negative were:

Senators Ernest, Faulkner, Hill, Hilligass, Johnston, Johnson, Marvin, May, McClure, McCulloch, McIntosh, Null, Richardson, Voyles and Youche. Total, 15.

So the motion failed.

Senator Spann, from the Special Committee on Fisheries reported as follows:

MR. PRESIDENT:

Your special committee to whom was referred the biennial report to the Legislature of the Commissioner of Fisheries of Indiana, have had the same under consideration, and beg leave to recommend that 5,000 copies of said report be printed for general distribution.

R. C. BELL,  
JESSE J. SPANN,  
EUGENE H. BUNDY.

Which report was adopted.

Senator Campbell asked leave of absence for Senator Smith, of Jay, until noon, and stated that he was paired with him on all political questions.

It was so ordered.



Senator Brown called up Senate Bill No. 102, and moved the House amendments thereto be concurred in, and moved the previous question.

The question being, Shall the demand for the previous question be seconded?

It was so ordered.

The question being, Shall the main question be put?

The ayes and nays were demanded by Senators Yancey and Sayre, and being taken, resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Voyles and Willard. Total, 27.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 20.

So the main question was ordered put.

The amendments of the House to the bill were read as follows:

ENGROSSED HOUSE AMENDMENTS TO SENATE BILL NO. 102, FEB. 20.

Amend the title of the bill by adding to the same the following words:

“Approved March 15, 1879 (the sections amended being sections 2811 and 2814 of Revised Statutes of 1881,) and declaring an emergency.”

Amend further, after the words and figures “section one (1),” in line 3 of section 1, insert the following: “of an act entitled



'An act to provide for the organization and support of an Asylum for Feeble-Minded Children; to provide for the appointment by the Governor of a Board of Trustees of the Soldiers' Orphans' Home, and for said Asylum, and to abolish the office of Trustee of the Soldiers' Orphans' Home, and to repeal the act on the same subject,' approved March 9, 1879, and declaring an emergency," approved March 15, 1879.

Also, strike out the words "of the above entitled act," in lines 2 and 3, in section one.

Also, amend by inserting "1883," instead of "1879" in line 2 from the bottom, on page 3, section one.

Senator Spann moved to adjourn.

The Chair ruled the motion to adjourn out of order.

The question being, Shall the Senate concur in the House amendments?

Senator Bundy moved that the Senate adjourn.

The Chair ruled the motion out of order.

Senators Spann and Bundy asked an appeal from the decision of the Chair.

Which was granted.

The question being, Shall the decision of the Chair stand as the judgment of the Senate?

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Henry, Hill, Hilligass, Hoover, Howard, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Sayre, Smith of Delaware, Van Vorhis, Voyles, Willard and Yancey. Total, 32.



Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Fleming, Foulke, Graham, Keiser, Lockridge, Macartney, Ristine, Spann, White and Youche. Total, 13.

So the decision of the Chair was sustained.

The question being, Shall House amendments to Senate Bill No. 102 be concurred in?

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Voyles and Willard. Total, 27.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Van Vorhis, White and Youche. Total, 16.

So the amendments of the House to the bill were concurred in.

The following message was received from the House by the hands of the Principal Clerk thereof:

**MR. PRESIDENT:**

I am instructed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 207, for an act to define the Thirty-first and Forty-fourth Judicial Circuits of the State of Indiana, and declaring an emergency, together with House engrossed amendments thereto.



Also, Engrossed Senate Bill No. 5; concerning the publication of the Revised Statutes, and declaring an emergency, and the same are hereby transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

House engrossed amendments to Engrossed Senate Bill No. 207, referred to in the foregoing message :

ENGROSSED HOUSE AMENDMENT TO SENATE BILL NO. 207.

Amend section 2, in line 2, by striking out the word "forty-fifth" and inserting in lieu thereof the word "forty-fourth."

Senator Campbell stated that he was paired with Senator Smith, of Jay, and declined to vote on the question of concurring in the House amendments to Senate Bill No. 102.

On motion the Senate adjourned.

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AFTERNOON SESSION.

FEBRUARY 21, 1883.

The Senate met at 2 o'clock p. m., Lieutenant Governor Hanna in the Chair.

Senator Ernest, from the Committee on Roads, made the following report on Senate Bill No. 205 :

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Senate Bill No. 205, beg leave to report that they have had the same under consideration, and a majority of the committee recommend that it do pass.

JOSHUA ERNEST, Chairman.  
S. F. LOCKRIDGE,  
W. J. HILLIGASS,  
HENRY M. MARVIN.



Senator Null was given leave to introduce Senate Bill No. 282, entitled :

A bill for "An act to divide the State of Indiana into congressional districts."

Senator Brown moved to reject the bill, and demanded the previous question.

The demand was seconded.

The question being, Shall the main question be put?

It was so ordered.

The question being, Shall the bill be rejected?

The ayes and nays were demanded and taken, with the following result :

Those voting in the affirmative were :

Senators Adkinson, Bichowsky, Brown, Bundy, Campbell, Fletcher, Foulke, Graham, Henry, Hutchinson, Keiser, Lockridge, Macartney, Qverstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 24.

Those voting in the negative were :

Senators Bell, Benz, Compton, Davidson, Duncan, Ernest, Faulkner, Hill, Hilligass, Hoover, Howard, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, and Smith of Jay. Total, 23.

So the bill was rejected.

House Bill No. 419 was read a second time.

Senator Rahm, from the Committee on Finance, on House Bill No. 419, reported as follows :

MR. PRESIDENT :

Your Committee on Finance beg leave to return House Bill No. 419, with the following recommendation by a majority of the committee :

Amend section one (1) as follows : In the third line from the last, after the word "unexpended" insert the words "on the 1st day of April, 1883."



Also add to the section the following words: "But none of the money hereby appropriated shall be used or expended except to furnish or purchase food, clothing, medicine, bedding and fuel with which to relieve present necessities."

Also add to section two (2) the following words: "And that when so amended it do pass."

WM. RAHM, JR.

Senator Willard offered the following amendment to the bill:

I move to amend by adding to section 2 of the bill:

"The members of the said Board shall be allowed their actual expenses in connection with their official duties, and in addition thereto the Lieutenant Governor shall be allowed the same compensation as while serving on the State Board of Equalization, and the Auditor of State is hereby directed to draw his warrant upon the Treasurer of State for the payment of the sums herein provided for."

WILLARD.

The question being, Shall the reports be concurred in?

It was so ordered.

Senator Spann offered the following amendment to House Bill No. 419:

MR. PRESIDENT:

I move to amend by adding the following section to the bill:

SEC. —. The commissioners authorized to expend this money are hereby empowered and authorized to employ at a fair price any person or persons who may be worthy, to assist in restoring the property of persons of very reduced circumstances that may be injured or destroyed, and such work as may be necessary to restore the sanitary condition of the flooded districts, and said commissioners shall keep accounts of the amounts so expended, with the names of the persons so employed, and the amount paid out to each person: *Provided*, That no person receiving such wages shall be given any direct relief other than such employment, unless in the judgment of said commissioners the families of said employes need additional assistance.

SPANN.



Senate Bill No. 87 being under consideration, and the reports of the committee thereon.

The question being, Shall the minority be adopted?

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Bichowsky, Brown, Bundy, Compton, Davidson, Duncan, Ernest, Fletcher, Graham, Henry, Hilligass, Hoover, Howard, Hutchinson, Johnston, Keiser, Lockridge, Macartney, Magee, Marvin, May, McCulloch, Null, Overstreet, Rahm, Richardson, Ristine, Spann, White, Willard and Yancey. Total, 33.

Those voting in the negative were:

Senators Adkinson, Campbell, Faulkner, Foulke, Hill, Johnson, McClure, McIntosh, Sayre, Smith of Delaware, Smith of Jay, Van Vorhis, Voyles and Youche. Total, 14.

So the minority report was adopted.

The question being, Shall the report as amended be adopted?

It was so adopted.

The report as amended was adopted.

The bill as amended was ordered engrossed.

The President of the Senate announced that he had signed enrolled act of Senate No. 219.

Unanimous consent of the Senate was given that in line 124, of House Bill No. 124, the engrossed Senate amendments to said bill should be made to read as follows: "That line 124 be amended as follows: That the word 'five' be stricken out and the word 'six' inserted in lieu thereof."

It was so ordered.



The following message was received from the House at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Senate Bill No. 1, in relation to the better government of the Benevolent Institutions, over the objections of the Governor, and the same is herewith transmitted to the Senate for further action.

EDWINS,  
Principal Clerk.

Engrossed Senate Bill No. 207 was taken up with the message from the House, with amendments thereto.

On motion the amendments were concurred in.

Engrossed Senate Bill No. 20 was taken up with the message from the House, with amendments thereto.

On motion the amendments were concurred in.

Consent was given, and Engrossed House Bill No. 329, entitled:

A bill to authorize the Auditor of State to issue patents in certain cases, was taken up and read a first time and referred to the Committee on the Judiciary.

Senator Fletcher moved to suspend the constitutional rule and take up House Bill No. 52, entitled:

A bill to construct a sewer from the Female Reformatory to connect with a sewer in the city of Indianapolis.

That it be read a first time by sections, a second time by title, a third time by sections, and be placed upon its passage.

The ayes and nays being taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hutchinson, Johnston,



Johnson, Keiser, Lockridge, Macartney, Magee, Marvin, May, McClure, McCulloch, Overstreet, Rahm, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, White, Yancey and Youche. Total, 38.

Those voting in the negative were :

Senators Hill, McIntosh, Null, Richardson, Voyles and Willard. Total, 6.

So the constitutional rule was suspended.

The bill was read a first time by sections, a second time by title.

Senator Fletcher moved the following amendment :

SECTION 1. In line 12 insert "Washington street;" strike out "Market."

Line 19, strike out "New Jersey;" insert "Pine street."

Same line, strike out "New Jersey;" insert "Pine street to Washington street, thence on Washington street to present terminus."

Which was adopted, and the bill as amended ordered considered engrossed.

The bill as amended was read a third time by sections.

The question being, Shall the bill pass ?

The ayes and nays were taken, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bell, Bichowsky, Campbell, Davidson, Fleming, Fletcher, Foulke, Graham, Henry, Hoover, Hutchinson, Johnson, Keiser, Lockridge, Macartney, Magee, Marvin, McClure, Overstreet, Rahm, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 29.

Those voting in the negative were:

Senators Benz, Duncan, Ernest, Faulkner, Hill, Hilligass, Johnston, May, McCulloch, McIntosh, Null, Richardson, Voyles and Willard. Total, 14.

So the bill passed.

The title was adopted as read.



The following message was received from the House at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 197, to amend "An act to divide the State into circuits for judicial purposes, and creating the Thirty-ninth Judicial Circuit," etc., and declaring an emergency, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Senator Brown moved to reconsider the vote by which Senate Bill 282 was rejected.

The question being, Shall the vote be reconsidered?

Senator Brown moved the previous question.

It was so ordered.

The question being, Shall the main question be put?

It was so ordered.

The question being, Shall the vote by which Senate Bill No. 282 was rejected be reconsidered?

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay. Total, 25.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spanu, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 22.

So the motion to reconsider was adopted.



Senator Brown withdrew his motion to reject, and moved that the bill be referred to the Committee on Congressional Apportionment.

The ayes and nays were demanded and taken, with the following result:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, and Voyles. Total, 26.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Willard and Yancey. Total 20.

So the bill was so referred.

The following messages were received from the House at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Senate Engrossed Bill No. 89, for an act to amend section 28 of an act entitled an act to provide for a general system of common schools, etc., and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Also, the following:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 113, providing for the election and qualification of Justices of the Peace, and de-



fining their jurisdiction and powers, and declaring an emergency, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Engrossed House Bill No. 103, "A bill concerning liens of mechanics, laboring men and others," was taken up and read a first time.

Senator Sayre moved to refer the bill to the Committee on Judiciary.

It was so ordered.

Senator Voyles called up his motion to amend the Rule No. 54, of the Senate, and moved its adoption, and demanded the previous question.

The question being, Shall the demand for the previous question be seconded?

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, and Voyles. Total, 25.

Those voting in the negative were:

Senators Adkinson, Benz, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White and Willard. Total, 20.

So the demand was seconded.

The question being, Shall the main question be put?

It was so ordered.



The question being, Shall the motion amending the rule No. 54 of the Senate be adopted?

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, and Voyles. Total, 27.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Willard and Youche. Total, 20.

So the motion was adopted.

The rules were ordered to be amended in accordance therewith.

Senator Magee moved that the constitutional rule be suspended, and that Senate Bill No. 138, be taken up and placed upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Davidson, Fletcher, Foulke, Henry, Hoover, Hutchinson, Johnston, Johnson, Lockridge, Magee, Marvin, McClure, Null, Overstreet, Rahm, Ristine, Smith of Jay, Spann, Van Vorhis and White. Total, 27.

Those voting in the negative were:

Senators Duncan, Ernest, Faulkner, Fleming, Graham, Hill, Hilligass, Howard, Keiser, Macartney, McIntosh, Richardson, Sayre, Smith of Delaware, Voyles, Willard and Youche. Total, 17.

So the motion to suspend the constitutional rule was rejected.



Senator Bell was given consent to offer Senate Bill No. 283.

An act to abolish the criminal court of Allen county, and transferring the business thereof to the circuit court of said county, and repealing all laws in conflict therewith.

Which was read a first time.

Senator Bell moved that the constitutional rule be suspended, the bill read a second time by title, be considered engrossed, read a third time by sections, and placed upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rham, Richardson, Ristine, Sayre, Spann, Van Vorhis, Voyles, White, Willard and Youche. Total, 44.

No Senator voted in the negative.

The constitutional rules were suspended.

The bill was read a second time by title, ordered considered engrossed, read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, with the following result:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Macartney, Magee, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rham, Richardson, Ristine, Sayre, Van Vorhis, Voyles, White, Willard and Youche. Total, 42.

No Senator voted in the negative.

The bill passed.

The title was adopted as read.



Senator Campbell asked leave of absence for Senator Smith, of Jay, until next Saturday, and stated that he was paired with him on all political questions.

Which was granted.

Senator Ernest, from Committee on Enrolled Bills, reported as follows on Senate Bill No. 5:

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 5, with Enrolled Act No. 5, Senate, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 102 with Enrolled Act No. 102, Senate, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

Engrossed House Bill No. 408 was read a first time:

A bill for an act to amend sections 7, 21, 41, of an act entitled an act to amend an act to provide for a general system of common schools, etc., etc.

Which was referred to the Committee on Education.

Senator Graham, from the Committee on Corporations, on Senate Bill No. 250, reported as follows:

Your Committee on Corporations, to whom was referred Senate Bill No. 250, report that they have had the same under consideration and a majority of your committee recommend that it do pass.

GRAHAM,  
For Committee.

The report was concurred in.

The bill was ordered engrossed.



Senator Howard was given consent to introduce Senate Bill No. 284, entitled:

An act to amend an act entitled, "An act to amend section 18 of an act entitled, 'An act regulating descents and the apportionment of estates,'" approved May 14, 1852 and March 29, 1879, and being section 2484 of the Revised Statutes of 1881.

Which was read a first time and referred to the Committee on Judiciary.

Senator Voyles, from the Committee on the Judiciary, on House Bill No. 133, offered the following majority report:

MR. PRESIDENT:

Your Committee on the Judiciary, to whom was referred House Bill No. 133, having considered the same, and being sufficiently advised, a majority of the committee have instructed me to return said bill to the Senate with a recommendation that said bill should pass.

VOYLES.

Senator Van Vorhis offered the following minority report on the same bill:

MR. PRESIDENT:

A minority of your Committee on Judiciary, to whom was referred House Bill No. 133, submit the following report:

1. The bill proposes to deprive the city of Indianapolis of the right of local self-government, by taking out of the hands of such city, not only the right to select, but the power to control the means or emoluments by which it can enforce its authority, and substantially putting into the hands of three Democratic State officers not only the enforcement of law in said city, but the power to control and disburse a large part of the revenue of the city.

2. It proposes not only to deprive the people of the city of the right to choose the instruments by which good order can be preserved, but proposes to compel them to pay the salaries and wages of such Police Commissioners and police force so chosen by such Democratic State officers, thus embodying in



the act that most vicious, unjust and outrageous of all policies, taxation without representation. Under this bill it is proposed to use the people's money for a purpose about which it is proposed not to consult them in any way.

3. It is now provided by law that the municipal corporation of the city of Indianapolis shall not levy a tax to exceed a certain per cent., and yet this bill proposes to deprive them in part of the power to control their own expenditures.

4. There is nothing in the bill that in any way limits the expenditures that may be made by the proposed Board of Commissioners. They may, at any time, under provisions of this bill, force the city to expenditures beyond the revenues to which the city is limited by law.

5. Its provisions are such that at the minimum prices and salaries, it will increase at once the expenses of the police department of the city more than \$25,000.

6. Any such increase in cost of police department must necessarily result in exceeding the limit of revenue, or be at the expense of other departments, such as fire protection, street lights, water supply, street improvements, necessary sanitary provisions, construction of sewers, etc.

7. The bill is so worded from beginning to end that every act or duty of such proposed Board of Commissioners is a matter of discretion. They are required to take an oath, it is true, but if they violate their oath in every particular the people of the city will have no redress, and absolutely no way to bring them to account.

8. The bill is a plain and bold proposition to organize the police force of the city for partizan purposes, and to make the taxpayers of the city of Indianapolis pay for running the party machine.

9. The bill, if it becomes a law, will result indirectly, if not directly, in giving the Democratic State officers the control of any amount of the revenue of this city; they may, under any pretext whatever, spend in connection with such proposed police department.

10. The Board of Commissioners provided by this bill are not required to account to anybody for any money that may



come into their hands, or that they may have control of, under the provisions of the bill.

11. A transparent attempt is made in the bill to disguise its purposes by proposing to appoint one Republican on the Board, but such Republican is to be chosen by three Democratic State officers, and there is no guarantee that such member will be a representative Republican, and not some pliant tool of the other two members or of the Democratic State officers, who will claim to be a Republican that he may be eligible to the office.

12. The bill proposes to make one-half of the patrolmen Democratic, and one-half Republican, but no guarantee is provided, and indeed none can be, that Republican patrolmen to be appointed by a Democratic Board (itself the creation of three Democratic State officers), will be representative men, or if so that would receive fair and impartial treatment at the hands of such Board.

13. The bill is of doubtful constitutionality.

For these reasons, and for the reason that the whole bill is vicious in principle and tyrannical in effects, and for the additional reason that even if the principle was correct, the bill is so loosely and imperfectly drawn as not in anyway to protect the interests of the city. We recommend that the bill be indefinitely postponed.

FLAVIUS J. VAN VORHIS.

ROBERT GRAHAM.

EUGENE BUNDY.

Senator Brown moved to make the reports and bill a special order for to-morrow at 2:15 o'clock P. M.

It was so ordered.

Senator Ernest, from the Committee on Enrolled Bills, made the following report on Senate Bill No. 219:

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 219 with Enrolled Act No. 219, Senate, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.



Senator Johnston offered the following joint resolution :

WHEREAS, In many of the counties of the State bordering on the Ohio river, by the recent overflow many of the officers entitled to the statutes under the laws of the State, have lost said statutes by said overflow; therefore

*Be it resolved by the Senate, the House concurring therein,* That any proper officer of any county or township in this State, who, by reason of the recent overflow of the Ohio river, may have lost the statutes by reason of such flood or overflow, shall be furnished said statutes as authorized by law, and that the Secretary of State be and is hereby authorized to furnish to such officer or officers, without charge, a copy of said statutes, upon the proper application being made by the proper officers of said county of such loss, under oath.

C. JOHNSTON.

Which resolution was adopted.

Senator Sayre, from the Committee on Elections, reported on Senate Bill No. 92 as follows:

MR. PRESIDENT:

Your Committee on Elections, having had Senate Bill No. 92 under consideration, beg leave to report that a majority of said committee recommend that the bill do pass.

WARREN G. SAYRE,  
For Majority of Committee.

Senator Sayre, from the same committee, on Senate Bill No. 83, reported as follows:

MR. PRESIDENT:

The Committee on Elections, to whom was referred Senate Bill No. 83, now report they have had the same under consideration, and Senators McCulloch, Bell, Voyles and Fletcher, a majority of the committee, recommend that further action thereon be indefinitely postponed, and Senators Spann, Lockridge and Sayre, a minority of the committee, recommend that the bill do pass.

By order of the committee.

SAYRE.



Senator Sayre, from the same committee, on Senate Bill No. 240, reported as follows:

MR. PRESIDENT:

Your Committee on Elections, having examined Senate Bill No. 240, beg leave to report a majority recommending that the bill be laid on the table.

WARREN G. SAYRE,  
For Majority of Committee.

Senator Sayre, from the same committee, on Senate Bill No. 77, made the following majority report:

MR. PRESIDENT:

The Committee on Elections, to whom was referred Senate Bill No. 77, now report that they have had the same under consideration, and a majority of said committee recommend that said bill be indefinitely postponed.

McCULLOCH,  
VOYLES,  
FLETCHER,  
BELL.

Also the following minority report:

The Committee on Elections, to whom was referred Senate Bill 77, now report that they have had the same under consideration, and the undersigned, a minority of said committee, recommend that the bill do pass.

SPANN,  
LOCKRIDGE,  
SAYRE.

The following messages were received from the House, by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 192, to legalize the incorporation of the town of Cadiz, in Henry county, In-



diana, and to legalize the acts of the Board of Trustees, and declaring an emergency, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 2, to enable turnpike companies in this State to connect the turnpike roads operated by them with turnpike roads in an adjoining State, and declaring an emergency.

Also,

MR. PRESIDENT:

Engrossed Senate Bill No. 22, for an act to amend section 1 of an act approved March 3, 1881, entitled, "An act to amend section seven (7) of an act entitled, 'An act authorizing Boards of County Commissioners to construct gravel and macadamized roads upon petition of a majority of the resident land owners along and adjacent to the line of said road, authorizing them to issue bonds, and declaring an emergency,'" and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Senator Brown moved that House Bill No. 419 be made a special order for 9:30 A. M., to-morrow.

It was so ordered.

Senator Foulke moved that Senate Bills Nos. 77, 82 and 83 be made a special order for Friday next, at 3 P. M.

It was so ordered.

On motion of Senator Bundy the Senate adjourned.

THOMAS HANNA,  
President of the Senate.



## THURSDAY MORNING.

FEBRUARY 22, 1883.

The Senate met at 9 o'clock, Lieutenant Governor Hanna in the Chair.

Prayer was offered by the Rev. J. B. Logan, pastor of the Seventh Presbyterian Church, Indianapolis.

The reading of the Journal was being proceeded with, when, on motion of Senator Ernest, the further reading of the minutes was dispensed with.

Senator Ernest, from the Committee on Enrolled Bills, reported as follows, on Senate Bill No. 29:

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of his Excellency, the Governor, Senate Bill No. 29.

JOSHUA ERNEST,  
Chairman.

February 20, 1883.

Senator Ernest, from the same committee, on Senate Bill No. 219, reported as follows:

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of his Excellency, Governor Porter, Enrolled Senate Act No. 219.

JOSHUA ERNEST,  
Chairman.

February 21, 1883.



Senator Compton called up Senate Bill No. 45, which was read a second time, with report of the committee thereon.

The report of the committee was concurred in.

The bill was ordered engrossed.

Senator Lockridge called up Engrossed Senate Bill No. 151.

Which was read a third time.

The question being, Shall the bill pass?

The ayes and nays were taken, with the following result:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Graham, Henry, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Macartney, Magee, Marvin, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Willard and Youche. Total, 40.

No vote in the negative.

So the bill passed.

Senator Voyles moved that the constitutional rule be suspended, that Senate Bill No. 173 be taken up, read a second time by title, be considered engrossed, read a third time by sections, and placed upon its passage.

The ayes and nays being taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Brown, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Foulke, Graham, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Lockridge, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Ristine, Sayre, Van Vorhis, Voyles, Willard and Youche. Total, 36.



Those voting in the negative were:

Senators Fleming, Macartney, Smith of Delaware, and Spann.  
Total, 4.

So the rules were suspended.

The bill was read a second time by title, with the report of the committee thereon.

The report was concurred in.

Senator Graham offered the following amendment to Senate Bill No. 173:

Amend section 9 of the bill by inserting after the word "office," in line 2 "knowingly tax, receive or demand any fee to which he is not entitled by the law now in force or."

Also strike out the word "tax-payer," in line 5, and insert in lieu thereof "freeholder and resident."

Senator Spann offered the following as a substitute for Senator Graham's amendment:

MR. PRESIDENT:

I move to strike out section 9 of the bill.

SPANN.

The question being, Shall the substitute be adopted?

The ayes and nays were demanded and taken, with the following result:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Faulkner, Fleming, Fletcher, Henry, Hilligass, Hoover, Howard, Hutchinson, Johnson, Keiser, Lockridge, Macartney, Magee, Marvin, May, McCulloch, Null, Overstreet, Rham, Ristine, Smith of Delaware, Spann, Van Vorhis, Voyles and White. Total, 33.

Those voting in the negative were:

Senators Ernest, Foulke, Graham, Hill, Johnston, McClure, McIntosh, Richardson, Sayre, Willard and Youche. Total, 11.



So the substitute was adopted striking out section 9 from the bill.

The bill was ordered considered engrossed.

The bill was read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken with the following result:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Willard and Youche. Total, 45.

No Senator voting in the negative.

So the bill passed.

The title was adopted as read.

The following messages were received from the House at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Bill No. 416, for an act to create the Forty-third Judicial Circuit, and declaring an emergency; and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the Speaker of the House of Representatives has signed Enrolled



House Acts numbered 413, 27, 22 and No. 5, and the same are herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

The President of the Senate announced that he had signed Enrolled Acts of House Nos. 5, 22, 27 and 413.

The following message was received from the House at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 88, for "An act to amend section 4 of an act entitled, 'An act to authorize the formation of companies for the detection and apprehension of horse thieves,'" etc.

Also,

Senate Bill No. 134, for an act authorizing the cities of this State to permit municipal taxes to be paid in installments, and the same are herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Senator Fletcher moved to take up Senate Bill No. 101, to suspend the constitutional rule and place it upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Faulkner, Fleming, Fletcher, Foulke, Henry, Hill, Hilligass, Hoover, Howard, Johnston, Johnson, Keiser, Lockridge, Macartney, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine,



Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, Willard and Youche. Total, 40.

No Senator voted in the negative.

So the rule was suspended.

The bill was read a second time with the report of the committee thereon.

The President of the Senate announced that he had signed Enrolled Senate Bill No. 5, and Enrolled Act of the Senate No. 102.

The special order on House Bill No. 419 was taken up.

Senator Voyles offered the following amendment to the bill:

MR. PRESIDENT:

I move to add the following new section to House Bill No. 419, to-wit:

SEC. 6. A reasonable portion of the money appropriated under the provisions of this act may be applied and expended in rendering habitable the recently overflowed homes of persons who have been reduced to straightened and distressing circumstances.

VOYLES.

Senator Spann offered the following as a substitute to the amendment offered by Senator Voyles:

MR. PRESIDENT:

I move to amend by adding the following section to the bill:

SECTION —. The Commissioners authorized to expend this money, are hereby empowered and authorized to employ, at a fair price, any person or persons who may be worthy, to assist in restoring the property of persons of very reduced circumstances, that may be injured or destroyed, and such work as may be necessary to restore the sanitary condition of the flooded districts, and said Commissioners shall keep accounts of the amounts so expended, with the names of the persons so em-



ployed, and the amount paid out to each person: *Provided*, That no person receiving such wages shall be given any direct relief other than such employment, unless in the judgment of said Commissioners, the families of said employes need additional assistance.

SPANN.

The substitute was withdrawn.

The question being, Shall the amendment offered by Senator Voyles be adopted?

It was rejected.

Senator Henry offered the following amendment to the bill:

Amend the bill in section one (1) by striking out the words "one hundred thousand dollars," and insert in lieu thereof the words "sixty thousand dollars."

The question being, Shall the amendment be adopted?

The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Campbell, Davidson, Duncan, Faulkner, Foulke, Henry, Hilligass, Hoover, Keiser, Lockridge, Marvin, McCulloch, McIntosh, Null, Rahm, Richardson, Ristine, Smith of Delaware, Spann, White and Youche. Total, 21.

Those voting in the negative were:

Senators Adkinson, Benz, Bichowsky, Brown, Bundy, Compton, Fleming, Graham, Hill, Howard, Johnston, Johnson, Macartney, May, McClure, Overstreet, Sayre, Van Vorhis, Voyles and Willard. Total, 20.

So the report of the committee was concurred in.

The amendments, by unanimous consent, were ordered considered engrossed.

The bill was read a third time by sections.

The question being, Shall the bill pass.



The ayes and nays being taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Faulkner, Fleming, Fletcher, Graham, Henry, Hill, Hilligass, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Macartney, May, McClure, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Van Vorhis, Voyles, White and Willard. Total, 37.

Those voting in the negative were:

Senators Hoover, Magee, Marvin, McCulloch, McIntosh, Spann and Youche. Total, 7.

So the bill passed, and the title was read.

Senator Duncan moved to amend the title to the bill by striking out \$100,000 and inserting \$60,000 in lieu thereof.

It was so ordered.

The title was adopted as amended and read.

Senator Brown moved to postpone the special order moved by Senator McCulloch, it being Senate Bill No. 19, until 2 o'clock this afternoon.

It was so ordered.

Senator Ernest, from Committee on Enrolled Bills, on Senate Bill No. 20, reported as follows:

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 20 with Enrolled Act No. 20, Senate, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.



Senator Ernest, from same committee, on Senate Bill No. 207, reported as follows:

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 207 with Enrolled Act No. 207, Senate, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

Senator Ernest, from same committee, on Senate Bill No. 50, reported as follows:

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 50 with Enrolled Act No. 50, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

Senator Ernest, from same committee, on Senate Bill No. 102, reported as follows:

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Act No. 102, Senate.

JOSHUA ERNEST,  
Chairman.

Senator Ernest, from the Committee on Enrolled Bills, on Senate Bill No. 5, reported as follows:

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Act No. 5, Senate.

JOSHUA ERNEST,  
Chairman.

Also, the following message from the Secretary of State:

Received of Hon. A. J. Kelley, Principal Clerk of the Senate of Indiana of the Fifty-third General Assembly, Senate Enrolled



Bill No. 1, concerning an act to provide for the better government of and management of the Hospital for the Insane, the Asylum for the Blind, and the Institution for the Deaf and Dumb; originated in the Senate and passed over A. G. Porter's veto on February 21, 1883.

W. R. MYERS,  
Secretary of State.

February 22, 1883, 10:15 A. M.

Senator Van Vorhis, from the Committee on the Judiciary, on Senate Bill No. 261, reported as follows:

MR. PRESIDENT:

Your committee, to whom was referred Senate Bill No. 261, have had the same under consideration, and have directed me to report it back, with the recommendation that it be amended as follows:

Insert after the word "may," in line 10, of section 1, the words "if it shall become a public nuisance."

Strike out the word "thirty" in line 25, and insert in lieu thereof "sixty."

And when so amended, the bill be passed.

F. J. VAN VORHIS,  
For Committee.

Senator Magee moved that Senate Bill No. 149 be taken up, the constitutional rule suspended, the bill be read a second time by title, with the report of the committee thereon, ordered considered engrossed, read a third time by sections and placed upon its passage:

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Faulkner, Fletcher, Foulke, Graham, Henry, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Lockridge, Magee, Marvin, May, McClure, McCulloch, Overstreet, Rahm, Van Vorhis, Willard and Youche. Total, 28.



Those voting in the negative were:

Senators Duncan, Ernest, Fleming, Hill, Keiser, Macartney, Sayre, Smith of Delaware, and White. Total, 9.

So the motion failed.

Senator Youche, by unanimous consent, introduced Senate Bill 285, entitled:

A bill for an act to legalize a term of the Circuit Court held in the county of Pulaski, in the month of June, 1881.

Which was read a first time.

Senator Youche moved to suspend the constitutional rule, to read the bill a second time by title, a third time by sections, and placed upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Macartney, Marvin, May, McClure, McCulloch, Overstreet, Rahm, Richardson, Sayre, Smith of Delaware, Smith of Jay, Van Vorhis, White and Youche. Total, 40.

Those voting in the negative were:

Senators Magee, McIntosh and Willard. Total, 3.

So the constitutional rule was suspended.

The bill was read a second time by title, ordered considered engrossed, and read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming,



Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Sayre, Smith of Delaware, Smith of Jay, Van Vorhis, Voyles, White, Yancey and Youche. Total, 42.

Senator Willard voting in the negative.

So the bill passed.

The title was adopted as read.

Senator Lockridge moved the following as an amendment to the title of Senate Bill No. 151:

A bill for an act relating to county, State and other officers, and the payment by them to their successors in office of all moneys in their hands at the expiration of their terms of office, and providing penalties for failure so to do.

Which was adopted.

The title, as amended and read, was adopted.

Senator Bichowsky was given consent, and called up Engrossed House Bill No. 461, entitled:

An act to amend section 4 of an act to create the Forty-third Judicial Circuit, etc., and declaring an emergency.

And moved that the constitutional rule be suspended, the bill be read a first time by sections, a second time by title, a third time by sections, and placed upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Howard, Johnston, Johnson, Keiser, Lockridge, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null,



Overstreet, Rahm, Richardson, Sayre, Smith of Delaware, Smith of Jay, Van Vorhis, Voyles, White, Willard and Youche. Total, 43.

No Senator voting in the negative.

So the constitutional rule was suspended.

Senator Smith, of Jay, from the Committee on Phraseology, on Senate Bill No. 275 reported as follows:

MR. PRESIDENT:

Your committee, to whom was referred Engrossed Bill No. 275, have had the same under consideration, and I am directed to return the bill with the recommendation to insert after the word "money," in line 10, section 1, the word "received."

SMITH.

The report was concurred in.

The Senate Bill No. 461 was read a first time by sections, a second time by title, a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Howard, Johnston, Johnson, Keiser, Lockridge, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Sayre, Smith of Delaware, Smith of Jay, Van Vorhis, Voyles, White, Willard and Youche. Total, 41.

No Senator voting in the negative.

So the bill passed.

The title was adopted as read.

On motion of Senator Van Vorhis, Senate Bill No. 250 was made a special order for Saturday next, at 9:30 o'clock, A. M.

On motion of Senator Willard, the Senate adjourned.



## AFTERNOON SESSION.

FEBRUARY 22, 1883.

The Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

Senator Hilligass moved that a recess of ten minutes be taken, and that Prof. Campbell be invited to explain his map of the Kankakee swamp lands.

It was so ordered.

After the convening of the Senate, Senator Youche was given consent to introduce Senate Bill No. 286, entitled:

A bill for "An act providing for the drainage and reclamation of certain swamp lands therein referred to."

Which was read a first time.

Senator Youche moved that the bill be referred to a committee consisting of the Committee on Swamp Lands, with an additional number of two Senators added to the committee.

The motion carried.

The President of the Senate appointed Senators Hilligass and Foulke as the addition to the committee.

Senator Youche moved that 200 copies of the bill be printed.

It was so ordered.

Senator McCulloch called up special order, it being Senate bill No. 19.

Which was taken up and read second time, with reports of the committee thereon:

That it lie on the table.

The same report was made as to Senate bill No. 10.



The following message was received from the Governor by the hand of his Private Secretary :

EXECUTIVE DEPARTMENT,  
INDIANAPOLIS, IND., February 22, 1883. }

*Gentlemen of the Senate:*

I respectfully return to the Senate, with my objections, Senate bill No. 91, entitled "An act designating a name by which the House of Refuge, for the correction and reformation of juvenile offenders, shall hereafter be known; providing for the appointment of Commissioners and their compensation, and prescribing their powers and duties; regulating the commitments thereto; and for the more efficient and uniform government of said institution; authorizing the Governor to commute the sentences of boys under twenty-one years; declaring how the expenses of maintaining the institution shall be paid; repealing all laws in conflict with this act," and declaring an emergency.

The bill relating to the management and government of the Hospital for the Insane, the Institute for the Education of the Blind and the Institution for the Deaf and Dumb, which has passed both Houses of the General Assembly during the present session, provides expressly that the several Trustees of those institutions, the terms of whose appointments have not expired, shall continue to hold their offices during the term for which they were appointed. The terms of office of all but one of the Trustees (called Commissioners) of the House of Refuge have expired. The term of that one, Dr. William Freeman, runs, under the appointment, until March 1, 1885. The present bill, however, puts an end immediately to Dr. Freeman's term of office.

Dr. Freeman was a private soldier in the 30th Regiment of Indiana Volunteers in the War of the Rebellion. At the battle of Chickamauga he was shot through the body, the ball having passed through his lungs. He lay upon the field several days. He was so near to death from the wound inflicted that his recovery is recorded in "The Medical and Surgical History of the War," published by the Surgeon General of the United States, as one of the remarkable recoveries from gunshot wounds.



He was a member of the Legislature from Switzerland county in 1877, and served with much credit on the House Committee on Reformatory Institutions. On account of his patriotic services, spotless character and peculiar fitness, I nominated him to the Senate during the session of 1881, as a trustee of the House of Refuge. The nomination was confirmed without a dissenting voice. I personally know that he has discharged his duties as a trustee of that institution with the utmost diligence and fidelity. Why should this patriotic and faithful officer be singled out, to be deprived of office two years before the term of office for which he was appointed has expired?

I refuse to make myself a party to this proceeding, which I would do by giving my approval to the bill now returned, and I hope that I shall gratify a majority of the Senate by giving them an opportunity, by a return of this bill, to reconsider what they have done.

The eighth section of the bill provides that, "If any boy over the age of eight years and under the age of sixteen years, be arraigned for trial in any court having criminal jurisdiction, on a charge of any violation of any criminal law of this State, the court or jury trying the same may commit said boy to this institution, instead of the jail of the county or State's prison, and the Judge may, with the consent of the accused, arrest at any stage of the cause, any further proceedings on the part of the prosecution, and commit the accused to the guardianship of said institution. *Provided*, That no commitment shall be for a shorter period than until the boy shall attain the age of twenty-one years."

Two cases are here contemplated: the case of a trial and conviction for crime and sentence of commitment to this institution, instead of to a jail or the State's prison; and the case of an arrest of proceedings before conviction and a commitment of the accused "to the guardianship" of this institution.

Section thirteen provides that boys for whatever cause committed may at any time be discharged or released on trial by the Board of Control.

In the case of a person convicted of crime, it not being treason, or a case of impeachment, the power to pardon resides, under the Constitution, in the Governor. The Governor may



pardon absolutely or conditionally, but the power can not be transferred by the Legislature to any other person or to any body of persons.

In the case of a boy not prosecuted to conviction, who has been committed to the House of Refuge, a power of discharging or releasing may be conferred upon a Board, but when he has been convicted of a crime and committed to the House of Refuge therefor, the Board of Trustees may not discharge or release him, under the Constitution; the Governor only has authority to do so.

It is not pleasant to be obliged to differ from a majority of the Legislature on the propriety of the passage of a bill, but it seems to me to be a plain and obvious duty to return this bill, with an earnest expression of disapproval.

ALBERT G. PORTER.

Senator Voyles moved that the message be made a special order for to-morrow at 2 o'clock P. M.

By consent, the message was laid on the table, to be taken up at any time.

The President of the Senate announced having signed Enrolled Act of the Senate, No. 50, and Enrolled Act of the Senate No. 207.

The following message was received from the House at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Bill No. 26, to repeal section 6 of an act entitled "An act concerning promissory notes."

Also, House Bill No. 23, concerning roads and highways.

Also, House Bill No. 4, concerning proceedings in civil cases.

Also, House Bill No. 29, in relation to forfeited school lands.

Also, House Bill No. 31, in relation to bounties for the destruction of woodchucks and owls.



Also, House Bill No. 38, fixing the ownership of school property.

Also, Senate Engrossed Bill No. 17, in relation to the Michigan City sewer.

Also, Engrossed Senate Bill No. 121, in relation to the incorporation of voluntary associations.

Also, House Bill No. 91, in relation to the relocation of county seats.

And the same are herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

The question being on the adoption of the report on Senate Bill No. 19.

Senator Voyles moved that further consideration of special order be postponed until after the consideration of the Governor's message on Senate Bill No. 91 be had.

Senator Rahm moved to amend by moving that Senate Bill No. 87 be taken up and placed upon its passage.

Consent was given, and Engrossed Senate Bill No. 87 was taken up and read a third time.

The question being, Shall the bill pass?

The ayes and nays being taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Howard, Hutchinson, Johnson, Keiser, Lockridge, Macartney, Magee, Marvin, May, McCulloch, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Spann, Van Vorhis, White, Willard and Yancey. Total, 37.

Those voting in the negative were:

Senators Ernest, Faulkner, Hilligass, Hoover, Johnston, McClure, McIntosh and Voyles. Total, 8.

So the bill passed.

The title was adopted as read.



The following message was received from the House at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Bill No. 117, concerning taxation, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

The following message from the House was received at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Senate Bill No. 283, and amendments thereto by the House, to abolish the Criminal Court of Allen county, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

The following are the amendments referred to in the foregoing message:

MR. SPEAKER:

I move to amend Senate Bill No. 283 by striking out, wherever they occur, the words "January 1st," and insert in lieu thereof the words "October 31st."

J. D. McHENRY.

On motion of Senator Voyles, the Governor's message, vetoing Senate Bill No. 91, was taken up and read.

The question being, Shall the bill pass, notwithstanding the Governor's veto?

Senator Hilligass moved the previous question.



The ayes and nays being demanded by Senators Marvin and May, and taken, resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 28.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Macartney, Overstreet, Ristine, Sayre, Spann, Van Vorhis, White, Yancey and Youche. Total, 19.

So the demand was seconded.

The question being, Shall the main question be put?

It was so ordered.

The question being, Shall the bill pass, notwithstanding the veto of the Governor?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 28.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 20.

So the bill passed.



The following message from the House was received at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has concurred in Senate amendments to House Bill 419 and House Bill 52.

EDWINS,  
Principal Clerk.

Senator Brown moved that the further consideration of the special order, being Senate Bill No. 19 and Senate Bill No. 10, be postponed until to-morrow morning at 9:15 o'clock.

It was so ordered.

On motion of Senator Spann the Senate adjourned.

THOMAS HANNA,  
President of the Senate.



## FRIDAY MORNING.

FEBRUARY 23, 1883.

Senate met at 9 o'clock, Lieutenant Governor Hanna in the Chair.

The reading of the Journal was being proceeded with, when, on motion of Senator Benz, the further reading of the minutes was dispensed with.

Senator White asked leave of absence for Senator Rahm until Monday, and stated that he was paired with him on all political questions..

Which was granted.

Senator Sayre presented a claim from the administrator of John U. Petit.

Which was referred, without reading, to the Committee on Finance.

Senator Van Vorhis moved that Senate Joint Resolution be taken up and read the second time.

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Brown, Bundy, Davidson, Duncan, Fleming, Foulke, Graham, Henry, Hutchinson, Keiser, Lockridge, Macartney, Magee, Overstreet, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, White, Willard and Yancey. Total, 26.

Those voting in the negative were:

Senators Ernest, Faulkner, Hilligass, Hoover, Johnston, Johnson, Marvin, May, McClure, McCulloch, McIntosh, Null and Voyles. Total, 13.

So the motion was adopted.



Senate Joint Resolution was read a second time.

Senator McCulloch offered the following amendment:

MR. PRESIDENT:

I move to amend the resolution by striking out the words "ten thousand dollars," and inserting in lieu thereof the words "three thousand dollars."

McCULLOCH.

Senator Van Vorhis demanded the previous question.

It was so ordered.

The question being, Shall the main question be put?

It was so ordered.

The question being on the adoption of the amendment offered by Senator McCulloch, reducing the amount from \$10,000 to \$3,000.

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Benz, Duncan, Ernest, Faulkner, Foulke, Hill, Hil-  
ligass, Johnston, Johnson, Marvin, May, McClure, McCulloch,  
McIntosh, Null, Richardson and Voyles. Total, 17.

Those voting in the negative were:

Senators Adkinson, Bell, Bichowsky, Brown, Bundy, Camp-  
bell, Compton, Davidson, Fleming, Fletcher, Graham, Henry,  
Hutchinson, Keiser, Lockridge, Lindley, Macartney, Magee,  
Overstreet, Ristine, Sayre, Smith of Delaware, Smith of Jay,  
Spaun, Van Vorhis, White, Willard and Yancey. Total, 28.

So the amendment was rejected.

The joint resolution was ordered engrossed.



Engrossed Senate Bill No. 192 was taken up, with the amendment of the House thereon, to-wit:

Engrossed House amendment to Senate Bill No. 192.

Amend said bill by adding thereto the following proviso, viz.:

*Provided, however,* That nothing in this act shall in any way affect any suit or suits now pending in any of the courts in the State of Indiana, but the same shall be heard and determined the same as if this act had never passed.

The House amendment was concurred in.

The following messages were received from the House at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Bill No. 351, for an act to provide for the removal of mill dams and other obstructions from water-courses, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the Speaker of the House of Representatives has signed House Enrolled Act No. 461.

EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Bill No. 48, concerning Supervisors of Roads and Highways, and the House having called for a committee of conference on House Bill No. 48 and Senate Bill No.



6, the Speaker of the House has appointed as such committee, Representatives Gordon, Robinson and Fleece, which information is transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Senator Voyles moved that the Senate take up message from the House on House Bill No. 48 and Senate Bill No. 6, and appoint a committee of conference thereon.

It was so ordered.

The Chair appointed Senators Voyles and Henry as such committee of conference.

Senator Benz moved to excuse the Prison Committee from this evening until Monday morning.

It was so ordered.

Senator Bichowsky moved that the constitutional rule be suspended, and that he be allowed to introduce Senate Bill No. 287, entitled:

A bill for an act to declare exempt from taxation certain moneys and chooses in action held by executors, bequeathed or devised to literary, scientific, benevolent or charitable institutions.

And that the bill be read a first time; a second time by title and ordered considered engrossed, a third time by sections and placed upon its passage.

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Macartney, Magee, Marvin, May, McClure, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Spanu, Van Vorhis, White, Willard, Yancey and Youche. Total, 41.



Those voting in the negative were:

Senators Faulkner, McCulloch, McIntosh, Null and Voyles.  
Total, 5.

So the constitutional rule was suspended.

The bill was read a first time, a second time by title, ordered considered engrossed, read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken with the following result:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Willard and Yancey. Total, 42.

Senator Faulkner voting in the negative.

So the bill passed.

The title was adopted as read.

The Lieutenant Governor announced having signed Enrolled Act of House No. 461.

Senator Henry moved that the special order, being the consideration of "Prison Labor Bills," be continued until 2 o'clock P. M.

It was so ordered.

House Bill No. 51 was taken up and read a first time, and referred to the Committee on Finance.

The special order of this morning being the bills reported from the Committee on Railroads, was, on motion of Senator Brown, continued until 3:30 o'clock P. M.



Senator Howard was given consent to have read the following resolution:

WHEREAS, Upon the organization of this Senate, Vincent P. Kirk was elected Doorkeeper of the same, by a majority of the whole Senate; and,

WHEREAS, In the absence of a full Senate, a resolution was offered and passed, under operation of "the previous question," disqualifying and discharging the said Doorkeeper; and,

WHEREAS, No charges in said resolution contained, tended to show that the said Vincent P. Kirk had at any time been disobedient to the laws of the State of Indiana, or orders of this Senate; and,

WHEREAS, It follows that by the passage of said resolution of discharge, the character and official conduct of the expelled Doorkeeper has been stigmatized, and the right of explanation or defense at the same time taken from; and,

WHEREAS, The action of the Senate, while passing said resolution, was hasty and without due consideration; and,

WHEREAS, The posted appointments of the said Doorkeeper, and the records of the Journal, set forth fully that his official conduct was strictly in obedience to law and the orders of this Senate; therefore, be it

*Resolved*, That said Vincent P. Kirk be and is hereby exonerated from all charges of unofficial conduct while in the service of the Senate.

HOWARD.

Senator Howard moved to suspend the order of business and take up the resolution for adoption or rejection.

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Davidson, Ernest, Foulke, Graham, Hoover, Howard, Johnston, Johnson, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, Null, Sayre, Spann, White, Willard and Yancey. Total, 26.



Those voting in the negative were:

Senators Bell, Brown, Compton, Duncan, Faulkner, Fleming, Henry, Hilligass, McCulloch, McIntosh, Overstreet, Richardson, Smith of Delaware, Van Vorhis and Youche. Total, 15.

So the motion was adopted.

The question being, Shall the resolution be adopted?

Senator Van Vorhis moved to amend by striking out the preamble.

It was so ordered.

The question being, Shall the resolution be adopted as amended.

It was adopted.

The following message was received from the House at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Bill No. 198, for the relief of Allen Lupton and others.

Also, House Bill No. 200, providing for the payment of certain claims therein named.

Also, House Bill No. 286 for an act empowering manufacturing companies to take and hold stock in corporations furnishing water power.

Also, Engrossed House Bill No. 308, for an act to amend sections one (1) and two (2) of an act entitled "An act to amend an act entitled 'An act to incorporate the Trustees of the Hartsville Academy, approved January 12, 1850,' " etc.

Also, Engrossed Senate Joint Resolution No. 7, relating to the payment of certain claims to the Superintendent of Public Instruction, and amendments thereto, and the same are herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.



Senator Howard moved to suspend the rules, that he may offer a resolution, which was read for the information of the Senate as follows:

WHEREAS, The Secretary of the Senate, and the Doorkeeper of the Senate have failed to do their duty, and have shown great inefficiency therein; therefore, be it

*Resolved*, That said offices are declared vacant, and that Cyrus T. Nixon be and is hereby declared the Secretary of this Senate, and that Vincent P. Kirk is hereby declared the Doorkeeper of this Senate.

HOWARD.

And the question being, Shall the rules be suspended for the introduction of the resolution as read?

The ayes and nays were demanded and taken, with the following result:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Davidson, Fleming, Foulke, Graham, Henry, Hill, Howard, Keiser, Lockridge, Lindley, Macartney, Marvin, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 25.

Those voting in the negative were:

Senators Bell, Brown, Compton, Duncan, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Magee, May, McClure, McCulloch, McIntosh, Null, Richardson, Smith of Jay, Voyles and Willard. Total, 22.

So the resolution was adopted.

Objection was made to the vote of Senator White, he being paired with Senator Rahm.

Senator Howard demanded the previous question on the adoption of the resolution.

Senator Brown moved that it be laid on the table.



Senator Bell raised the point of order that the election of officers could not be had by resolution, and a further point of order that the officers of the Senate are elected for the period of the session of the Senate.

The point of order was overruled by the Chair.

The question being on the adoption of the motion of Senator Brown to lay on the table, Senator McCulloch moved that the Senate adjourn.

The motion was held out of order, because the motion for the previous question is pending.

The question being, Shall the motion of Senator Brown to lay on the table be adopted?

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Brown, Compton, Duncan, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Magee, May, McClure, McCulloch, McIntosh, Null, Richardson, Smith of Jay, Voyles and Willard. Total, 22.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Davidson, Fleming, Foulke, Graham, Henry, Hill, Howard, Keiser, Lockridge, Lindley, Macartney, Marvin, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 25.

So the motion was rejected.

Senator Willard moved that the Senate adjourn.

The motion was held out of order.

Senator Willard raised the point of order that the demand for the previous question had not been seconded, and that the Senate is not operating under the previous question, and that a motion to adjourn is therefore in order.



The Chair overruled the point of order and Senator Willard presented the following appeal from the decision of the Chair:

We appeal from the decision of the Chair in deciding a motion to adjourn out of order before the demand for the previous question is seconded by the Senate.

J. H. WILLARD,  
H. J. MAY.

Senator Van Vorhis moved to lay the appeal on the table.

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Davidson, Fleming, Foulke, Graham, Henry, Hill, Howard, Keiser, Lockridge, Lindley, Macartney, Marvin, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 25.

Those voting in the negative were:

Senators Bell, Brown, Compton, Duncan, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Magee, May, McClure, McCulloch, McIntosh, Null, Richardson, Smith of Jay, Voyles and Willard. Total, 22.

So the motion was rejected.

The question being, Shall the demand for the previous question be seconded?

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Davidson, Fleming, Foulke, Graham, Henry, Hill, Howard, Keiser, Lockridge, Lindley, Macartney, Marvin, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White and Youche. Total, 25.



Those voting in the negative were :

Senators Bell, Brown, Compton, Duncan, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Magee, May, McClure, McCulloch, McIntosh, Null, Richardson, Smith of Jay, Voyles and Willard. Total, 22.

So the demand for the previous question was seconded.

The question being, Shall the main question be now put?

The ayes and nays were demanded, taken, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bichowsky, Bundy, Campbell, Davidson, Fleming, Foulke, Graham, Henry, Hill, Howard, Keiser, Lockridge, Lindley, Macartney, Marvin, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 25.

Those voting in the negative were :

Senators Bell, Benz, Brown, Compton, Duncan, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Magee, May, McClure, McCulloch, McIntosh, Null, Richardson, Smith of Jay, Voyles and Willard. Total, 22.

So the main question was ordered put.

Senator Bell demanded a division of the question.

It was ordered put, divided as follows:

The question being, first, Shall the office of the Secretary of the Senate be declared vacant?

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Bichowsky, Bundy, Campbell, Davidson, Fleming, Foulke, Graham, Henry, Hill, Howard, Keiser, Lock-



ridge, Lindley, Macartney, Marvin, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 25.

Those voting in the negative were:

Senators Bell, Benz, Brown, Compton, Duncan, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Magee, May, McClure, McCulloch, McIntosh, Null, Richardson, Smith of Jay, Voyles and Willard. Total, 23.

The point of order was raised by Senator Bell that this is a political question; that Senator White is announced to the Senate as paired with Senator Rahm, and called the attention of Senator White to the fact that all Republicans are voting one way, and that it is a political question.

The Chair held it to be a question of conscience with Senators, and overruled the objection, and Senator White was allowed to vote, and voted in the affirmative.

The vote was announced, and the office of Secretary of the Senate declared vacant.

The question being next put was, Shall the office of doorkeeper of the Senate be declared vacant?

The ayes and nays were demanded and taken with the following result:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Davidson, Fleming, Foulke, Graham, Henry, Hill, Howard, Keiser, Lockridge, Lindley, Macartney, Marvin, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 25.

Those voting in the negative were:

Senators Bell, Benz, Brown, Compton, Duncan, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Hutchinson, Johnston,



Johnson, Magee, May, McClure, McCulloch, McIntosh, Null, Richardson, Smith of Jay, Voyles and Willard. Total, 23.

It was so ordered and the office declared vacant.

Senator Bell objected to Senator White voting on account of being announced as paired with Senator Rahm.

The objection was overruled.

The question being, Shall Cyrus T. Nixon be elected to the office of Secretary of the Senate?

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Davidson, Fleming, Foulke, Graham, Henry, Hill, Howard, Keiser, Lockridge, Lindley, Macartney, Marvin, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 25.

Those voting in the negative were:

Senators Bell, Benz, Brown, Compton, Duncan, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Magee, May, McClure, McCulloch, McIntosh, Null, Richardson, Smith of Jay, Voyles and Willard. Total, 23.

The roll was called for verification.

So the motion was adopted.

Senator Bell offered an objection to Senator White voting, for the reason that he was paired with Senator Rahm, and the pair had been announced in the Senate.

The objection was overruled.

Senator Willard raised the point of order that the roll could not be called by the Assistant Secretary, the office of Secretary of the Senate not being vacant, and that the Chair had no power to appoint a Reading Clerk.

Which point of order was not entertained by the Chair.



The question being on the adoption of the last clause in the resolution, Shall Vincent P. Kirk be elected Doorkeeper of the Senate?

Pending roll call, Judge Howe administered the oath of office to Cyrus T. Nixon as Secretary of the Senate.

The question being, Shall Vincent P. Kirk be elected Doorkeeper of the Senate?

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Davidson, Fleming, Foulke, Graham, Henry, Hill, Howard, Keiser, Lockridge, Lindley, Macartney, Marvin, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 25.

Those voting in the negative were:

Senators Bell, Benz, Brown, Compton, Duncan, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Magee, May, McClure, McCulloch, McIntosh, Null, Richardson, Smith of Jay, Voyles and Willard. Total, 23.

So Vincent P. Kirk was declared elected as Doorkeeper of the Senate.

Senator Bell stated objection to Senator White voting, it having been announced that he was paired with Senator Rahm.

The objection was overruled.

Vincent P. Kirk was sworn in as Doorkeeper of the Senate by Judge Howe.

On motion of Senator Brown the Senate adjourned.



## AFTERNOON SESSION.

FEBRUARY 23, 1883.

The Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

The President of the Senate laid the following before the Senate :

HOUSE OF REPRESENTATIVES, }  
WASHINGTON, D. C., Feb. 20, 1883. }

*Hon. A. J. Kelley, Principal Secretary of the Senate, Indianapolis, Indiana :*

SIR—I have the honor to acknowledge the receipt of your favor of the 12th inst., with concurrent resolution of the General Assembly of Indiana, in relation to pensions for soldiers of the late war, and to inform you that I presented the same in the House yesterday.

Very respectfully,

W. H. CALKINS.

Also, the following:

UNITED STATES SENATE, }  
WASHINGTON D. C., Feb. 21, 1883. }

*A. J. Kelley, Esq., Secretary of the Senate, Indianapolis, Indiana :*

SIR—I have the honor to acknowledge the receipt of yours of the 12th inst., inclosing copy of concurrent resolution on the subject of arrears of pensions.

Very respectfully yours,

BENJ. HARRISON.



The following message was received from the Governor :

EXECUTIVE DEPARTMENT,  
INDIANAPOLIS, IND., Feb. 23, 1883. }

*To the Honorable, the President of the Senate:*

The Governor desires respectfully to inform the Senate that he has approved and signed Senate Enrolled Bills Nos. 5 and 50, and has caused them to be filed in the office of the Secretary of State.

Very respectfully,

FRANK H. BLACKLEDGE,  
Private Secretary.

Also, the following:

EXECUTIVE DEPARTMENT,  
February 22, 1883. }

*To the Honorable, the President of the Senate:*

I am directed by the Governor respectfully to inform the Senate that he has approved and signed Senate Enrolled Bills Nos. 29 and 219, and has caused the same to be filed in the office of the Secretary of State.

FRANK H. BLACKLEDGE,  
Private Secretary.

Senator Ernest, from the Committee on Enrolled Bills reported as follows :

MR. PRESIDENT:

The Committee on Enrolled Bills, have compared Engrossed Senate Bill No. 134 with Enrolled Act No. 134, Senate, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

Senator Ernest, from same committee reported, as follows:

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 2 with Enrolled Act No. 2, Senate, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.



Senator Ernest, from same committee, reported as follows:

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 197 with Enrolled Act No. 197, Senate, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

Senator Ernest, from same committee, reported as follows:

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 89 with Enrolled Act No. 89, Senate, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

Senator Ernest, from same committee, reported as follows:

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 113 with Enrolled Act No. 113, Senate, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

Senator Ernest, from same committee, reported as follows:

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 17 with Enrolled Act No. 17, Senate, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.



Senator Richardson offered the following from the Committee on Claims:

*Resolved*, That the President of the Senate be requested to draw his certificate for warrants in favor of the following named persons for the amounts named after their respective names, being claims for labor and supplies furnished the Senate, and allowed by the Committee on Claims:

J. Giles Smith.....	\$59 65
Thomas H. S. Peck.....	194 39
J. B. and J. E. Hendricks .....	8 90
W. J. Freany.....	10 60
	<hr/>
Total .....	\$273 54

The resolution was adopted.

The following messages were received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Senate Bill No. 91, the veto of the Governor, notwithstanding.

Also, that the House has passed House Bill No. 277, authorizing County Commissioners to straighten water courses.

Also, House Bill No. 407, to amend section four of an act approved March 5, 1873.

And the same are herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Also, the following:

MR. PRESIDENT:

I am instructed by the Speaker of the House of Representatives to inform the Senate that the House has no information



that the person bringing the inclosed message is Secretary of the Senate, and the message is therefore respectfully returned to the Senate.

EDWINS,  
Principal Clerk.

The message referred to in the foregoing:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the amendments of the House of Representatives to Senate Bill No. 192, entitled, "A bill to legalize the incorporation of the town of Cadiz.

CYRUS T. NIXON,  
Principal Secretary of the Senate.'

Senator Bundy moved that a committee of two be appointed to inform the House of the election of a new Secretary—Cyrus T. Nixon.

Senator Bell moved to postpone the further consideration of the motion until 4 o'clock.

Senator Brown raised the point of order that the motion was not in order.

Senator Graham withdrew his motion.

The motion of Senator Bundy was adopted.

Senators Spann and Brown were appointed said committee to inform the House of the election of C. T. Nixon, as Secretary of the Senate.

Senator Johnson, from the Committee on Education, reported as follows on Senate Bill No. 202:

MR. PRESIDENT:

Your Committee on Education, to whom was referred Senate Bill No. 202, introduced by Senator Duncan, beg leave to report that they have had the same under consideration, and recommend that the same shall be amended by striking out in



lines 4 and 5 of section 1, the words "six thousand six hundred and sixty-two dollars (\$6,662)," and inserting in lieu thereof the words "thirteen hundred dollars (\$1,300)," and that if so amended the bill do pass.

FRANCIS JOHNSON,  
Chairman.

Senator Johnson, from the same committee, on Senate Bill No. 184, reported as follows:

MR. PRESIDENT:

Your committee having under consideration Senate Bill No. 184 recommend its adoption, after the following amendments shall have been made, to-wit:

' In section one (1), line two (2), between the words "township" and "shall" insert, "and the Chairman of the School Trustees of each town and city of the county."

Also, in section one (1), strike out all after "provided," and substitute therefor, "that in voting to approve of or to change the text books for the schools of the townships not affecting the schools of the cities or towns of the county, the Chairman of the School Trustees of the cities and towns shall not be permitted to vote: *Provided, further,* That any text books heretofore adopted by the County Board of Education shall not be changed within six years from the date of such adoption, except by the unanimous vote of the members of the Board."

FRANCIS JOHNSON,  
Chairman.

Senator Johnson, from the same committee, on Senate Bill No. 212, offered the following report:

MR. PRESIDENT:

Your Committee on Education, to whom was referred Senate Bill No. 212, have had the same under consideration, and a majority of said committee recommend that it lie on the table.

FRANCIS JOHNSON,  
Chairman.



Senator Johnson, from the same committee, reported as follows on Senate Bill No. 206:

MR. PRESIDENT:

Your Committee on Education, to whom was referred Senate Bill No. 206, beg leave to report that they have had the same under consideration, and recommend that it be amended by striking out section 2, and that, when so amended, it do pass.

FRANCIS JOHNSON,  
Chairman.

Senator Johnson, from the same committee, on Senate Bill No. 178, reported as follows:

MR. PRESIDENT:

Your Committee on Education, to whom was referred Senate Bill No. 178, introduced by Senator McCulloch, beg leave to report that they have had the same under their consideration, and recommend that the bill be passed.

FRANCIS JOHNSON,  
Chairman.

Senator Johnson, from the Committee on Education, on Engrossed House Bill No. 408, reported as follows:

MR. PRESIDENT:

Your Committee on Education, to whom was referred Engrossed House Bill No. 408, beg leave to report that they have had the same under consideration, and recommend that it pass.

FRANCIS JOHNSON,  
Chairman.

Senator Bundy moved to postpone the special order and take up Senate Bill No. 138.

Consent was given, and Senate Bill No. 138 was taken up and read a third time.



Unanimous consent was given to Senator Voyles to offer the following amendment to said bill (S. B. 138):

Add to section 1 of the bill the following:

*Provided, further,* That where the appliances or the electric system provided for in this act shall be adopted by any railroad or railway company, such appliances or system shall not be used or put in at any railroad crossing in this State to the detriment of any other railroad or railway company, unless such other company, by its proper officers, consent thereto in writing.

VOYLES.

And by unanimous consent the amendment was adopted and ordered considered engrossed.

The question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Brown, Bundy, Campbell, Duncan, Ernest, Faulkner, Fleming, Foulke, Henry, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Richardson, Ristine, Spann, Van Vorhis, Voyles, White, Willard and Yancey. Total, 36.

Those voting in the negative were:

Senators Benz, Graham, Sayre and Youche. Total, 4.

So the bill passed.

Senator Foulke moved that the special order set for 3 o'clock be postponed until to-morrow morning at 9:15 o'clock, it being Senate Bills Nos. 77, 82 and 83.

Special order was called up by Senator Johnson, it being Senate Bills Nos. 281 and 247.

Senate Bill No. 281 was first read, with the report of the committee thereon.



Senator Foulke presented certain petitions in relation to the bill, praying for its passage.

Senate Bill No. 247 was then read, with the report of the committee thereon.

The question being on the adoption of the report on Senate Bill No. 281, Senator McCulloch moved the special order for this hour, it being Senate Bill No. 19, be postponed until after the consideration of the present special order shall have been concluded, and then taken up without the intervention of any other business.

It was so ordered.

Senator Yancey offered the following amendment to Senate Bill No. 247 :

MR. PRESIDENT:

I move to amend by adding the following section to the bill:

Any person manufacturing any goods by convict labor, shall cause to be placed on any of said goods so manufactured, in a conspicuous place, in large and well-defined letters, the following words: "Manufactured by convict labor." Any person or persons who may employ any convict labor, who shall violate any of the provisions of this act, shall be fined in any sum not less than \$50 or more than \$100 for each offense.

YANCEY.

Senator Willard offered the following, as a substitute for Senator Yancey's amendment:

Amend by adding the following to the bill:

SEC. —. All goods and wares made in the State Prisons of the State of Indiana shall be plainly marked or stamped, "Convict-made goods," in a conspicuous place on said goods. Such stamp or mark shall be of a durable character, and sufficiently large to be easily seen and understood by the people.

SEC. —. That from and after the passage of this act it shall be unlawful for any person or persons to sell or offer for sale any prison-made goods from other States unless the same be



plainly marked or stamped as required by section — of this act, except as to such stocks of goods and wares as are already in this State prior to the passage of this act.

SEC. —. Any person who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than fifty nor more than three hundred dollars, to which may be added imprisonment in the county jail, not exceeding sixty days.

WILLARD.

Senator Graham offered the following new section to the bill:

MR. PRESIDENT:

I move to amend the bill by adding to it the following new section:

The labor of no convict shall be contracted for at a less price than seventy-five cents per day.

GRAHAM.

Senator Keiser, from the Committee on Phraseology on Senate Bill No. 45, reported as follows:

MR. PRESIDENT:

Your Committee on Phraseology, etc., have examined Senate Engrossed Bill No. 45, and recommend no change.

Respectfully,

KEISER,  
For Committee.

Senator Keiser, from the same committee on Senate Bill No. 200, reported as follows:

MR. PRESIDENT:

Your Committee on Phraseology, etc., have examined Senate Engrossed Bill No. 200, and recommend no change.

Respectfully,

KEISER,  
For Committee.



The following message from the House was received by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Bill No. 438 to amend an act concerning taxation, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Senator Van Vorhis offered the following amendment to Senate Bill No. 281:

MR. PRESIDENT:

I move to amend section 1 of Senate Bill No. 281, by inserting after the word "one," in line 4, the words "benevolent and." Strike out the word "schools," in the same line, and insert in lieu thereof the word "institution." Amend section 2 by adding the words: "And the management of the benevolent and reformatory institutions are required and authorized to employ competent teachers to instruct the pupils and inmates in such mechanical arts as may be most to the advantage of such pupils and inmates.

Which was adopted.

Senator Brown moved to strike out the third section of Senate Bill No. 281.

Senator Brown moved to refer the two bills, with pending amendments, to select committee of five.

Senator Bundy moved that the Senate adjourn.

The ayes and nays were demanded by Senators Bell, McCulloch, Johnson and Brown, and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Hill, Keiser, Lockridge, Lindley,



Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 22.

Those voting in the negative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Richardson, Smith of Jay, Voyles and Willard. Total, 26.

So the motion was lost.

The following message was received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Bill No. 333, to legalize the incorporation of the Shelbyville and Marietta Turnpike Company.

Also,

House Bill No. 14, requiring all companies and corporations to make settlement to their employes every thirty days, and the same are herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

The following message was received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has refused to concur in Senate amendments to House Bill No. 302, and the House has asked for a conference committee, and the Speaker has appointed the following Representatives:

Messrs. Jewett, Aiken, Sutton and Shively to act on said committee, and the same is herewith transmitted to the Senate for its information.

EDWINS,  
Principal Clerk.



Senator Willard moved that a Special Committee of Conference be appointed on message:

It was so ordered.

Senators Willard and Sayre were appointed as such committee.

Senator Bell moved to suspend the order of business and have privilege to introduce a resolution.

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Duncan, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Richardson, Smith of Jay, Voyles and Willard. Total, 24.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Davidson, Fleming, Foulke, Graham, Henry, Hill, Keiser, Lockridge, Lindley, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 23.

The roll was called for verification.

The rules were suspended.

Senator Bell offered the following resolution:

MR. PRESIDENT:

I move to suspend the order of business, and offer the following resolution:

*Resolved*, That the office of Secretary of this Senate is hereby declared vacant, and that Albert J. Kelley be, and he is hereby, chosen Secretary of this Senate for the remainder of the Regular Session of the General Assembly.

And move its adoption.

R. C. BELL.



Senator Bell demanded the previous question.

The question being, Shall the previous question be seconded?

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Duncan, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Richardson, Smith of Jay, Voyles and Willard. Total, 24.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Davidson, Fleming, Foulke, Graham, Henry, Hill, Keiser, Lockridge, Lindley, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 23.

So the demand was seconded.

The question being, Shall the main question be put?

It was so ordered.

A division of the question was demanded.

The question being, Shall the office of the Principal Secretary of the Senate be declared vacant?

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Duncan, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Richardson, Smith of Jay, Voyles and Willard. Total, 24.



Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Davidson, Fleming, Foulke, Graham, Henry, Hill, Keiser, Lockridge, Lindley, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 23.

So the motion was adopted and the office of Secretary of the Senate was declared vacant.

The question being, Shall Albert J. Kelley be declared elected Principal Secretary of the Senate?

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Duncan, Ernest, Faulkner, Fletcher, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Richardson, Smith of Jay, Voyles and Willard. Total, 24.

Those voting in the negative were:

Senator Adkinson, Bichowsky, Bundy, Campbell, Davidson, Fleming, Foulke, Graham, Henry, Hill, Keiser, Lockridge, Lindley, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 23.

So the motion prevailed, and Albert J. Kelley was declared elected Principal Secretary of the Senate.

Senator Bell moved to reconsider the vote by which Albert J. Kelley was declared elected Principal Secretary of the Senate, and to lay that motion on the table.

It was adopted.

Judge S. M. Hench, Judge of Allen Criminal Court, administered oath of office to Albert J. Kelley as Principal Secretary of the Senate.



Senator Brown offered the following resolution :

*Resolved*, That the thanks of the Senate are hereby tendered to the Hon. Cyrus T. Nixon for his brief but faithful services as Principal Secretary of the Senate.

BROWN.

Which was adopted.

The following communication was received from the Secretary of State, W. R. Myers:

Received of Hon. Cyrus T. Nixon, Principal Secretary of the Senate of the Fifty-third General Assembly of Indiana, Senate Enrolled Bill No. 91, concerning an act designating a name by which the House of Refuge for the correction and reformation of juvenile offenders shall hereafter be known; and providing for the more efficient and uniform government of said institution, repealing all laws in conflict with this act; and passed over the veto of His Excellency, Hon. Albert G. Porter, Governor of Indiana, on February 22, 1883, by the Senate; and on February 23, 1883, by the House of Representatives.

W. R. MYERS,  
Secretary of State.

February 23, 1883, 5:15 P. M.

On motion the Senate adjourned.

THOMAS HANNA,  
President of the Senate.



## SATURDAY MORNING.

FEBRUARY 24, 1888.

Senate met at 9 o'clock, Lieutenant Governor Hanna in the Chair.

Prayer was offered by the Rev. Harvey Harris, pastor of Edwin Ray M. E. Church, Indianapolis.

The reading of the Journal was being proceeded with, when on motion of Senator Campbell, the further reading of the minutes was dispensed with.

Senator Brown moved that a committee of two be appointed to inform the House of the election of A. J. Kelley as Secretary of the Senate.

Which was adopted.

The President of the Senate appointed Senators Brown and Spann as said committee.

The special order that was under consideration when Senate adjourned, yesterday afternoon, was called up, it being Senate Bill No. 281 and Senate Bill No. 247, the question being on the adoption of Senator Brown's motion to refer the said bills, with all pending amendments to said bills, to a committee of five (5).

Senator Van Vorhis moved that the special order for this hour, being Senate Bill No. 250, be postponed until the consideration of the special order now pending is concluded.

It was so ordered.

Senator Foulke moved that the special order set for 9:15 A. M., "Registration of Bills," be set for two o'clock this afternoon.

It was so ordered.



Senator McCulloch introduced the following notice of change of rules, to-wit:

*Resolved*, That no person, except a member, and attaches and reporters of the Senate, shall be permitted upon the floor of the Senate during its session, unless such person be admitted upon the request of a Senator, made to the Doorkeeper, and not more than two persons shall be permitted in the Chamber at one time upon the request of any one Senator.

McCULLOCH.

Which was laid over until Monday next.

The following message from the House was received at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has adopted the following resolution:

WHEREAS, The tenure of office in the Senate is very insecure; and,

WHEREAS, This House can not tell from one day to another who to recognize as the officers of the Senate; therefore, be it

*Resolved*, That the Senate be requested to prepare and place upon the desk of each member of this House, at least twice per day, a list of its officers, and the same is herewith transmitted to the Senate.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has adopted House Joint Resolution No. 2, in relation to agreeing to House Joint Resolution No. 8, passed by the Fifty-Second General Assembly.

Also, House Joint Resolution No. 1, in relation to agreeing to House Joint Resolution No. 7, passed by the Fifty-Second General Assembly.



Also, House Joint Resolution No. 3, in relation to agreeing to House Joint Resolution No. 6, referring to Auditor of State, and Secretary and Treasurer of State.

Also, House Bill No. 285, in relation to fixing the time of holding court in the Second Judicial Circuit, and the same are herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

The following message was received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 180, being "An act to abolish City Assessors and matters connected therewith," and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Senator Brown offered the following amendment to Senate Bill No. 247:

Add to section 1:

*Provided*, That the provisions of this act shall not apply to any existing convict labor contracts, but that said contracts shall continue in force the same as if this act had not passed.

Senator Foulke offered the following amendment to Senate Bill No. 281:

I move the following as a substitute for section 3 of Senate Bill No. 281:

SECTION 3. The Directors of said prisons shall be authorized to employ the convicts therein by establishing within such prisons any manufactures not at present established in the State of Indiana, the profits of such manufactures to be accounted for by said Directors and paid to the State Treasurer, after deducting the expenses of managing said prison.



Senator Lindley asked leave of absence for Senator Hoover until Tuesday morning, and stated that he was paired with him on all political questions.

The question being on the motion to grant Senator Hoover a leave of absence.

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Brown, Bundy, Campbell, Davidson, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Ristine, Sayre, Smith of Delaware, Smith of Jay, Van Vorhis, Voyles, White and Yancey. Total, 38.

Those voting in the negative were:

Senators Bell, Duncan, Ernest, Hilligass and Willard. Total, 5.

So the leave of absence was granted.

Senator Hilligass demanded the previous question on referring Senate Bills Nos. 281 and 247 to a committee of five.

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Brown, Bundy, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Hill, Hilligass, Howard, Johnston, Marvin, May, McClure, McCulloch, McIntosh, Null, Richardson, Ristine, Smith of Jay, and Voyles. Total, 24.

Those voting in the negative were:

Senators Adkinson, Benz, Bichowsky, Campbell, Foulke, Graham, Henry, Johnson, Keiser, Lockridge, Lindley, Macart-



ney, Overstreet, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Willard and Yancey. Total, 20.

So the motion was adopted.

The question being, Shall the main question be put?

It was so ordered.

The question being, Shall Senate Bill No. 281, and Senate Bill No. 247, be referred, with pending amendments, to a committee of five Senators?

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Bundy, Davidson, Ernest, Faulkner, Fleming, Fletcher, Hilligass, Hill, Johnston, Lindley, Marvin, McClure, McCulloch, McIntosh, Null, Overstreet, Richardson, Smith of Jay, and Voyles. Total, 22.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Campbell, Compton, Duncan, Foulke, Graham, Henry, Howard, Johnson, Lindley, Marvin, May, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Willard and Yancey. Total, 23.

So the motion was lost.

The question being, Shall Senator Foulke's amendment to Senate Bill be adopted?

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Campbell, Compton, Ernest, Foulke, Graham, Henry, Howard, Hutchinson, Johnson, Keiser, Lockridge, Lindley, Magee, Marvin, May, Overstreet, Ristine, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Willard and Yancey. Total, 27.



Those voting in the negative were:

Senators Benz, Brown, Bundy, Davidson, Duncan, Faulkner, Fletcher, Hill, Hilligass, Johnston, Macartney, McClure, McCulloch, McIntosh, Richardson, Sayre, and Smith of Jay. Total, 17.

It was adopted.

It was ordered placed in the bill.

The question being, Shall the bill be ordered engrossed?

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Compton, Duncan, Ernest, Foulke, Graham, Howard, Johnson, Magee, May, Spann, Van Vorhis, White, Willard and Yancey. Total, 16.

Those voting in the negative were:

Senators Benz, Bichowsky, Brown, Bundy, Campbell, Davidson, Faulkner, Fletcher, Henry, Hill, Hilligass, Johnston, Keiser, Lockridge, Lindley, Macartney, Marvin, McClure, McCulloch, McIntosh, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, and Voyles. Total, 27.

So the motion was lost.

The question being on the amendment to Senate Bill No. 247, offered by Senator Brown.

It was adopted.

The question being on adoption of amendment to Senate Bill No. 247, offered by Senator Graham.

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Duncan, Ernest, Foulke, Graham, Hilligass, Howard, Johnson, Keiser, Macartney, Magee, Richardson, Ristine, Sayre, Spann, Van Vorhis, White, Willard and Yancey. Total, 19.



Those voting in the negative were :

Senators Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Faulkner, Fleming, Fletcher, Henry, Hill, Hutchinson, Johnston, Lockridge, Lindley, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Smith of Delaware, and Voyles. Total, 26.

So the amendment was rejected.

The question being on the adoption of Senator Willard's substitute to Senator Yancey's amendment to Senate Bill No. 247.

The ayes and nays being demanded and taken, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Foulke, Hilligass, Johnson, May, Richardson, Spann and Willard. Total, 8.

Those voting in the negative were :

Senators Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Henry, Hill, Howard, Hutchinson, Johnston, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, McClure, McCulloch, McIntosh, Null, Overstreet, Ristine, Sayre, Smith of Delaware, Van Vorhis, Voyles, White and Yancey. Total, 35.

So the motion was lost.

The question being on the adoption of Senator Yancey's amendment to Senate Bill No. 247.

The ayes and nays were demanded and taken, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Foulke, Graham, Hilligass, Howard, Johnson, Magee, Richardson, Spann, Van Vorhis, Willard and Yancey. Total, 12.



Those voting in the negative were :

Senators Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Henry, Hill, Hutchinson, Johnston, Keiser, Lockridge, Lindley, Macartney, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Sayre, Smith of Delaware, Smith of Jay, Voyles and White. Total, 33.

So the amendment was rejected.

The question being on the adoption of the report of the committee.

The ayes and nays were demanded and taken, and resulted as follows :

Those voting in the affirmative were:

Senators Adkinson, Compton, Davidson, Ernest, Foulke, Henry, Hill, Hilligass, Hutchinson, Johnson, Magee, Sayre, Spann, Van Vorhis, Voyles, White, Willard and Yancey. Total, 17.

Those voting in the negative were:

Senators Bell, Bichowsky, Brown, Bundy, Campbell, Duncan, Faulkner, Fleming, Fletcher, Graham, Howard, Johnston, Keiser, Lockridge, Lindley, Macartney, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Richardson, Smith of Delaware, Smith of Jay, and Van Vorhis. Total, 27.

So the report of the committee was not concurred in.

The question being, Shall Senate Bill No. 247 be engrossed?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Howard, Hutchinson, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, McCulloch, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Willard and Yancey. Total, 34.



Those voting in the negative were :

Senators Bell, Brown, Faulkner, Hilligass, Johnston, Marvin, May, McClure, McIntosh, Null and Smith of Jay. Total, 11.

So the bill was ordered engrossed.

Senator Campbell moved that the constitutional rule be suspended, the bill be ordered considered engrossed, read a third time and placed upon its passage.

Senator May asked leave of absence for Senator Ristine, until Monday next, and stated that he was paired with him on all political questions.

It was so ordered.

On motion the Senate adjourned.

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## AFTERNOON SESSION.

FEBRUARY 24, 1883.

The Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

Senator Spann moved that the Senate adjourn.

The ayes and nays were demanded and taken, and resulted as follows :

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche Total, 21.

Those voting in the negative were :

Senators Bell, Benz, Compton, Davidson, Duncan, Ernest, Faulkner, Hill, Hilligass, Hutchinson, Johnston, Johnson,



Marvin, May, McClure, McCulloch, McIntosh, Null, Richardson, Smith of Jay, Voyles and Willard. Total, 22.

So the motion was rejected.

The question being on the motion of Senator Campbell, to suspend the constitutional rule, to pass Senate Bill No. 247.

The ayes and nays were demanded and taken, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Johnson, Keiser, Lockridge, Lindley, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 22.

Those voting in the negative were :

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hutchinson, Johnston, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Richardson, Smith of Jay, Voyles and Willard. Total, 26.

So the motion was rejected.

Senator Henry moved to reconsider the vote by which the motion to order Engrossed Senate Bill No. 281 was lost.

Senator Brown moved to lay the motion on the table.

The ayes and nays were demanded and taken, resulting as follows :

Those voting in the affirmative were :

Senators Bell, Benz, Brown, Bundy, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Hill, Hilligass, Howard, Hutchinson, Johnston, Marvin, May, McClure, McCulloch, McIntosh, Null, Richardson, Ristine, Sayre, Smith of Jay, and Voyles. Total, 27.



Those voting in the negative were :

Senators Adkinson, Bichowsky, Campbell, Foulke, Graham, Henry, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Overstreet, Smith of Delaware, Spann, Van Vorhis, White, Willard, Yancey and Youche. Total, 21.

So the motion was laid on the table.

Senator McCulloch moved to set aside special order as follows :

I move to temporarily suspend the special order and take up Engrossed House Bill No. 133, and read it a second time, and concur in the report of the majority of the Judiciary Committee thereon, and upon that I demand the previous question.

McCULLOCH.

Senator Van Vorhis moved to take up Senate Joint Resolution No. 2, and place it upon its passage.

Senator Bell moved to lay the motion on the table.

The ayes and nays were demanded and taken, and resulted as follows :

Those voting in the affirmative were :

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Richardson, Smith of Jay, Voyles and Willard. Total, 26.

Those voting in the negative were :

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 21.

The motion was laid on the table.



Senator Foulke moved that the Senate adjourn.

The ayes and nays were demanded, and taken, and resulted as follows:

Those voting in the affirmative were:

Senator Adkinson, Bichowsky, Bundy, Campbell, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 20.

Those voting in the negative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Richardson, Smith of Jay, Voyles and Willard. Total, 26.

The motion was rejected.

Senator Spann raised the point of order that after the motion of Senator McCulloch had been made the floor had been yielded to Senator Van Vorhis, and other business had intervened, and that the question of the adoption of Senator McCulloch's resolution was not in order.

The point of order was sustained by the Chair.

Senator McCulloch moved that the motion as previously made by him be adopted, and moved the previous question.

Senator Van Vorhis raised the point of order that the demand for the previous question could not apply to suspending the order of business and to taking up House Bill No. 133, both made in the same motion.

The point of order was overruled by the Chair, and the Chair stated that the motion would apply to suspending the order of business, and to taking up the bill on its second reading.



The ayes and nays were demanded on the demand for the previous question, and taken with the following result:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Richardson, Smith of Jay, Voyles and Willard. Total, 26.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis and Yancey. Total, 19.

So the motion was adopted.

Senator White stated that he was paired with Senator Rahm on all political questions, and declined to vote.

Senator Youche stated that he was paired with Senator Hoover on all political questions, and declined to vote.

The question being, Shall the main question be put?

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Richardson, Smith of Jay, Voyles and Willard. Total, 25.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macart-



ney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis and Yancey. Total, 19.

It was so ordered.

A division of the question was demanded, and the question being, Shall the special order be set aside?

The ayes and nays were demanded and taken, with the following result:

Those voting in the affirmative were :

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Richardson, Smith of Jay, Voyles and Willard. Total, 26.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis and Yancey. Total, 19.

It was so ordered.

The question being, Shall House Bill No. 183 be taken up and read?

The ayes and nays were demanded, and taken, and resulted as follows:

Those voting in the affirmative were :

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Richardson, Smith of Jay, Voyles and Willard. Total, 26.



Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis and Youche. Total, 19.

It was so ordered.

The bill was taken up and read a second time, with the report of the majority of the committee thereon, and the report of the minority of the committee thereon, the question being on the adoption of the minority report.

Pending which Senator Spann moved that the Senate adjourn.

On which the ayes and nays were demanded, and taken, with the following result:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Campbell, Fleming, Foulke, Graham, Keiser, Lockridge, Lindley, Macartney, Sayre, Smith of Delaware, Spann, Van Vorhis, White and Yancey. Total, 16.

Those voting in the negative were:

Senators Bell, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McIntosh, Null, Richardson, Voyles and Willard. Total 21.

The motion was rejected.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT,  
INDIANAPOLIS, February 24, 1883. }

*To the Honorable the President of the Senate:*

The Governor desires to inform the Senate that he has approved and signed Senate Enrolled Bill No. 207, and has caused the same to be filed in the office of the Secretary of State.

Very respectfully,

FRANK H. BLACKLEDGE,  
Private Secretary.



Senator Macartney asked leave of absence for Senator Hutchinson until Monday evening, and stated that he was paired with him on all political questions.

Which was granted.

Senator Brown moved that Senate Bill No. 10, and Senate Bill No. 19 be made a special order for 10:30 o'clock, A. M., next Monday, and that Senate Bill No. 250 be made special order for 10:45 o'clock, A. M., next Monday.

It was so ordered.

Senator Foulke asked leave of absence for Senator Johnson until Monday afternoon next, and stated that he was paired with him on all political questions.

Which was granted.

Senator Davidson asked leave of absence for Senator Adkinson for the balance of the afternoon, and stated that he was paired with him on all political questions.

Which was granted.

Senator Spann moved that the Senate adjourn.

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White and Yancey. Total, 18.

Those voting in the negative were :

Senators Bell, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hilligass, Howard, Hutchinson, Johnston, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Richardson, Smith of Jay, Voyles and Willard. Total, 22.

So the motion was rejected.



Senator Smith, of Jay, arose to a question of privilege, and offered the following:

MR. PRESIDENT :

On next Monday, February 26, 1883, I shall move to amend rule 15 by inserting after the word "spoken," in line 3 of said rule, the words "nor more than five minutes at any one time, without the consent of a majority."

SMITH,  
Of Jay.

Which went over for consideration on Monday.

Senator Voyles moved that when the Senate adjourn to-day it be to 2 o'clock P. M., on Monday next.

It was so ordered.

Senator Brown moved to postpone all special orders until Monday next, at 2 o'clock P. M.

It was so ordered.

Senator Graham moved that the Senate adjourn.

The ayes and nays were demanded, when Senator Graham withdrew his motion.

Senator Campbell asked leave of absence for Senator Marvin until next Monday, at 2 o'clock P. M., and stated that he was paired with him on all political questions.

Which was granted.

Senator Fletcher demanded the previous question, on the adoption of the reports of the committee.

The question being, Shall the demand for the previous question be seconded?

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hilligass, Howard, Hutchinson, Johnston,



Magee, May, McClure, McCulloch, McIntosh, Null, Richardson, Smith of Jay, Voyles and Willard. Total, 22.

Those voting in the negative were :

Senators Adkinson, Bichowsky, Bundy, Graham, Keiser, Lockridge, Lindley, Macartney, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis and Yancey. Total, 14.

So the demand for the previous question was seconded.

On the question, Shall the main question be put?

It was so ordered.

On the question, Shall the minority report of the committee be concurred in?

The ayes and nays were demanded and taken, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bichowsky, Bundy, Fleming, Graham, Keiser, Lockridge, Lindley, Macartney, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White and Yancey. Total, 15.

Those voting in the negative were :

Senators Bell, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hilligass, Howard, Hutchinson, Johnston, Magee, May, McClure, McCulloch, McIntosh, Null, Richardson, Smith of Jay, Voyles and Willard. Total, 22.

So the minority report of the committee was rejected.

The question being, Shall the majority report of the committee be concurred in?

The ayes and nays were demanded and taken, and resulted as follows :

Those voting in the affirmative were:

Senators Bell, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hilligass, Howard, Hutchinson, Johnston, Magee, May, McClure, McCulloch, McIntosh, Richardson, Smith of Jay, Voyles and Willard. Total, 21.



Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Fleming, Graham, Keiser, Lockridge, Lindley, Macartney, Ristine, Sayre, Spann, Van Vorhis and Yancey. Total, 14.

So the majority report of the committee was concurred in.

Senators Campbell, Youche and White, stated pairs and declined to vote.

Senator Sayre moved that the report of the Election Committee be made a special order for next Tuesday, at 2 o'clock, P. M.

It was so ordered.

Senator Spann moved that Senate Joint Resolution No. 1, with the House amendments thereto, be read, and that they be concurred in.

The House amendments, as adopted, are as follows:

**MR. SPEAKER:**

Your Committee on Education, to whom was referred Senate Joint Resolution No. 1, providing for the payment by the State of the expenses of the prosecution of Ziba F. Williams, County Superintendent of Martin county, on the charge of having corruptly sold for money questions furnished by the Superintendent of Public Instruction, have had the same under consideration, and direct me to report the same back with the recommendation that the same be amended by adding the following proviso:

*Provided*, That said Secretary of State and Attorney General shall first ascertain what amount of money, if any, has already been paid out of any fund of this State on account of said prosecution, and no expenditure shall be made by authority of this resolution which will, including any sums already paid out, exceed \$707.20, and when so amended the same do pass.

GRAHAM.

It was so ordered, and the amendments were concurred in.



Senator Magee moved to take up Senate Joint Resolution No. 2, and place it upon its passage.

It was so ordered.

The resolution was read a third time, and the question being, Shall the joint resolution be passed?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were :

Senators Bell, Bichowsky, Brown, Bundy, Campbell, Davidson, Fleming, Fletcher, Graham, Howard, Hutchinson, Keiser, Lockridge, Lindley, Macartney, Magee, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, White, Willard and Yancey. Total, 25.

Those voting in the negative were:

Senators Duncan, Ernest, Faulkner, Hilligass, Johnston, Marvin, May, McClure, McCulloch, McIntosh, Richardson, Voyles and Youche. Total, 13.

The Joint Resolution failed.

On motion of Senator Voyles, the Senate adjourned.

THOMAS HANNA,  
President of the Senate.



## MONDAY AFTERNOON.

FEBRUARY 26, 1883.

Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

Prayer was offered by the Rev. I. N. Clark, Pastor of the South Street Baptist Church, Indianapolis.

The reading of the Journal was being proceeded with, when, on motion of Senator Spann, the further reading of the minutes was dispensed with.

Senator Foulke moved that the constitutional rule be suspended, and that he be allowed to introduce Senate Bill No. 288, entitled:

A bill for an act amending section 57, of an act for the incorporation of towns, approved June 11, 1852, as amended by section 1 of an act approved March 12, 1877.

And that it be read a first and second time by title, order it considered engrossed, read a third time by sections, and place it upon its passage.

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Willard, Yancey and Youche. Total, 34.

Those voting in the negative were :

Senators Faulkner, Johnston, McCulloch, Null, Richardson, Smith of Jay, and Voyles. Total, 7.

So the motion was adopted.



Senator Ernest, from the Committee on Enrolled Bills, reported as follows:

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 22 with Enrolled Act No. 22, Senate, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 17 with Enrolled Senate Act No. 17, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 134 with Enrolled Senate Act No. 134, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 197 with Enrolled Senate Act No. 197, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 192 with Enrolled Senate Act No. 192, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Act No. 2 with Enrolled Senate Act No. 2, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.



**MR. PRESIDENT :**

The Committee on Enrolled Bills have compared Engrossed Senate Act No. 89 with Enrolled Senate Act No. 89, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

Which reports were concurred in.

Senator Voyles arose to a question of privilege, and asked leave of absence for Senator Benz until Tuesday morning.

It was so ordered.

Senate Bill No. 288 was read a first time by sections, a second time by title, ordered considered engrossed, read a third time by sections, and the question being, Shall the bill pass ?

The ayes and nays were taken, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bell, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Foilke, Graham, Henry, Hill, Hilligass, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Szyre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 41.

Those voting in the negative were :

Senators Faulkner, Johnston, and Smith of Jay. Total, 3.

So the bill passed.

The title was adopted as read.

Senator Youche, from the Special Committee on Swamp Lands, reported as follows on Senate Bills Nos. 8, 69, 222, 227, 246 and 251.

**MR. PRESIDENT :**

Your Committee on Canals and Swamp Lands, etc., to whom was referred Senate Bills Nos. 8, 69, 222, 227, 246 and 251, all



providing for amendments to an act entitled "An act concerning drainage," approved April 8, 1881, beg leave to return said bills, with the recommendation that they lie on the table, and to introduce the following bill in place of said bills, and that said bill, when so introduced, do pass.

By J. W. YOCHE.

HOOVER,  
Chairman.

Senator Yocche introduced Senate bill No. 289, entitled :

A bill for an act to amend sections two (2), three (3), four (4), five (5), six (6), eight (8) and ten (10) of an act entitled "An act concerning drainage," approved April 8, 1881, and declaring an emergency, and moved to suspend the constitutional rules, that it be read a first time by sections, a second time by title, a third time by sections, and place it upon its passage.

The ayes and nays were taken and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bell, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Fleming, Fletcher, Foilke, Graham, Henry, Hill, Keiser, Lockridge, Lindley, Macartney, Magee, McClure, McCulloch, Null, Overstreet, Rahm, Richardson, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Yancey and Yocche. Total, 34.

Those voting in the negative were :

Senators Ernest, Faulkner, Johnston, Johnson, Marvin, Nay, McIntosh, Smith of Jay, and Willard. Total, 9.

So the motion was adopted.

The bill was read a first time by sections, a second time by title, when Senator Sayre offered the following amendment

I move to amend by adding a section as follows:

The provisions of this act as to the time in which a renou-  
strance may be filed, shall relate to all proceedings now pend-  
ing, where a contract for the construction of the drain has not  
been made.

SAYRE.



The question being on the adoption of the amendment.

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Johnson, Keiser, Lockridge, Lindley, Macartney, Marvin, Rahm, Sayre, Spann, Van Vorhis, Voyles, White and Yancey. Total, 21.

Those voting in the negative were:

Senators Bell, Brown, Davidson, Drncan, Faulkner, Henry, Hill, Johnston, May, McCulloch, McIntosh, Null, Overstreet, Smith of Delaware, Smith of Jay, Willard and Youche. Total, 18.

The amendment was adopted.

The bill was ordered considered engrossed and read a third time by sections.

The question being, Shall the bill pass?

Senator Henry was given unanimous consent to offer the following amendment:

WHEREAS, An emergency exists for the immediate taking effect of this act, therefore, the same shall take effect and be in force from and after its passage.

HENRY.

Which was adopted and ordered considered engrossed.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Johnson,



Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, Null, Overstreet, Rahm, Richardson, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Yancey and Youche. Total, 39.

Those voting in the negative were:

Senators Johnston and McIntosh. Total, 2.

The bill passed.

The title was adopted as read.

A committee from the House reported that Emmett L. Rose is appointed Clerk *pro tem.* of the House, owing to the unavoidable absence of the Principal Clerk, Edwins.

The following message was received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 287, declaring exempt from taxation certain moneys and choses in action, held by executors, bequeathed or devised to literary and other institutions, and the same is herewith transmitted to the Senate for its further action.

EDWINS,  
Principal Clerk.

The following messages were received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House of Representatives has passed House Bill No. 346, concerning legal advertising, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk

Also,



MR. PRESIDENT :

I am instructed by the House to inform the Senate that the House of Representatives has passed House Bill No. 338, abolishing the office of City Treasurer in cities having 60,000 population, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Senator Spann offered the following resolution :

*Resolved*, That the President of the Senate draw his warrant for twenty-three dollars, in favor of Wm. B. Burford, for two tables furnished the Assistant Secretary, upon resolution of the Senate.

SPANN.

Which was adopted.

Senator Brown moved that the constitutional rule be suspended, and Engrossed House Bill No. 91 be read a first time.

It was so ordered.

The bill was read a first time by sections.

Senator Brown moved that said bill be referred to a select committee of five.

Senator McCulloch moved to amend by sending said bill to the Committee on County and Township Business.

The question being, Shall the amendment be adopted?

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Compton, Davidson, Ernest, Faulkner, Hill, Hilligass, Johnston, May, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Delaware. Total, 16.



Those voting in the negative were:

Senators Adkinson, Bichowsky, Brown, Bundy, Campbell, Duncan, Fleming, Fletcher, Foulke, Graham, Henry, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, Overstreet, Sayre, Spann, Van Vorhis, Voyles, White, Yancey and Youche. Total, 26.

So the amendment was lost.

The question being on the adoption of Senator Brown's motion.

It was adopted.

The President of the Senate named as such committee Senators Brown, May, Compton, Bundy and Spann.

The following message was received from the House, at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that he has signed Enrolled Act No. 419, of the House.

EDWINS,  
Principal Clerk.

Senator Willard, from the Conference Committee on House Bill No. 302, reports as follows:

MR. PRESIDENT:

Your Committee of Conference on the part of the Senate and House of Representative, to which was referred House Bill No. 302, entitled:

"A bill for an act making appropriation for the State Government and its institutions, directing the application of such appropriation, requiring accounts to be kept by the fiscal years of the State, and repealing inconsistent laws," together with the amendments thereto of the Senate, in which the House of Representatives refused to concur, would respectfully report as follows:



The said committee has conferred, and as a result of such conference have agreed to the following settlement of difference between the two Houses, and respectfully ask that the action of the conference be concurred in :

1. That the House do agree to Senate amendment to line 13, page 2 (printed bill).
2. That the House do agree to Senate amendment to lines 27 and 28 (printed bill), page 2.
3. That the House do agree to Senate amendment to line 37, page 2 (printed bill).
4. That the Senate do recede from its amendment to line 47, page 3 (printed bill).
5. That the House do agree to Senate amendment to lines 55 and 56, page 3 (printed bill).
6. That the Senate do recede from its amendment to line 59, page 3 (printed bill).
7. That the House do agree to Senate amendment to lines 60 and 61, page 3 (printed bill).
8. That the House do agree to Senate amendment to line 79, page 4 (printed bill).
9. That the House do agree to Senate amendments to lines 89 and 90, page 4 (printed bill).
10. That the House do agree to Senate amendments to lines 91 and 92 (printed bill).
11. That the House do agree to Senate amendment to lines 98 and 99, page 5 (printed bill).
12. That the House do agree to Senate amendment to line 101, page 5 (printed bill).
13. That the House do agree to Senate amendments in lines 146, 147, 148 and 149, page 6 (printed bill).
14. That the House do agree to Senate amendment in line 113, page 5 (printed bill).
15. That the House do agree to Senate amendment to line 150 (printed bill).
16. That the House do agree to Senate amendment to line 154, page 6 (printed bill).



17. That the House do agree to Senate amendment to lines 158 and 159 (printed bill).

18. That the House do agree to Senate amendment to lines 160 and 161 (printed bill).

19. That the House do agree to Senate amendment to lines 184 and 185, page 7 (printed bill).

20. That the House do agree to Senate amendment to lines 9, 10 and 11, page 8 (printed bill).

JAMES H. WILLARD,  
WARREN G. SAYRE,  
CHARLES T. AKIN,  
CHARLES L. JEWETT.

The question being on the adoption of the report of the committee.

Senator Bell moved as follows :

MR. PRESIDENT :

I move to concur in the report of the conference committee upon House Bill No. 189, being the general appropriation bill, and that the Senate do recede from its amendments to said bill, as recommended in said report of said committee.

BELL.

The motion was adopted.

Senator Graham moved to suspend the constitutional rules, and that House Bill No. 200 be taken up and read a first time by sections, a second time by title, a third time by sections, and placed upon its passage.

The ayes and nays were taken, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bell, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure,



McCulloch, Overstreet, Rahm, Richardson, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, White, Willard, Yancey and Youche. Total, 39.

Those voting in the negative were :

Senators Ernest, Faulkner, McIntosh and Null. Total, 4.

So the motion was adopted.

The bill was read a first time by sections, a second time by title, a third time by sections, and the question being, Shall the bill pass ?

The ayes and nays were taken, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bell, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, McClure, Overstreet, Rahm, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Willard, Yancey and Youche. Total, 32.

Those voting in the negative were :

Senators Duncan, Ernest, Faulkner, Johnston, Marvin, McCulloch, McIntosh, Null and Richardson. Total, 9.

The bill passed.

The title was adopted as read.

Senator Willard moved to take up Senate Bill No. 189; that it be read a second time with report of the committee thereon; that the report of the committee be concurred in; the bill be ordered considered engrossed; read a third time by sections, and placed on its passage.

The ayes and nays were taken, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bichowsky, Brown, Bundy, Compton, Davidson, Fletcher, Foulke, Graham, Henry, Hill, Johnson,



Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White, Willard and Yancey. Total, 29.

Those voting in the negative were:

Senators Bell, Campbell, Duncan, Ernest, Faulkner, Fleming, Hilligass, Johnston, McCulloch, McIntosh, Null, Overstreet, Rahm and Youche. Total, 14.

The motion failed.

Senator McClure moved to suspend the rules; to take up Senate Bill No. 120; that it be read a second time by title, with the report of the committee thereon; that it be ordered considered engrossed; read a third time by sections, and placed upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Bichowsky, Brown, Compton, Davidson, Duncan, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McIntosh, Null, Richardson, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 34.

Those voting in the negative were:

Senators Adkinson, Bundy, Campbell, Ernest, Johnston, McCulloch, Overstreet and Rahm. Total, 8.

So the motion was adopted.

The bill was read a second time by title, with the report of the committee thereon.

The report of the committee was concurred in, and the bill was ordered considered engrossed.

The bill was read a third time by sections.

The question being, Shall the bill pass?



The ayes and nays were taken, and resulted as follows :

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Graham, Henry, Hill, Johnston, Johnson, Keiser, Lockridge, Lindley, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Yancey and Youche. Total, 37.

Those voting in the negative were :

Senators Bundy and Macartney. Total, 2.

So the bill passed.

The title was adopted as read.

The Lieutenant Governor announced having signed enrolled acts of the Senate Nos. 89, 22, 20, 17, 2, 134, 113, 192 and 197.

The Lieutenant Governor announced that he had signed House Bill No. 419.

The following messages from the House were received by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House of Representatives to inform the Senate that he has signed the following acts, to-wit:

Enrolled Act No. 52 of the House.

Enrolled Act No. 287 of the Senate.

EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives has passed House Bill No. 462, regu-



lating the running at large of stock, etc., and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House of Representatives has agreed to the report of the Joint Conference Committee of the House and Senate making certain amendments to House Bill No. 302, making appropriations for the State government, and the same is transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Senator Bundy asked leave to offer a resolution.

Objection was made.

Senator Bundy moved to suspend the rules for the purpose of introducing a resolution.

Senator Bell moved to lay Senator Bundy's motion on the table.

The ayes and nays were demanded.

Pending roll call, Senator Spann asked for the reading of the resolution.

The point of order was raised that it could not be read.

Senator Smith, of Jay, rose to the point of order that a motion to lay on the table a motion to suspend the rules was not in order.

The Chair sustained the point of order.

The question being on the adoption of the motion of Senator Bundy.

The ayes and nays were demanded and taken, and resulted as follows:



Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Foulke, Graham, Henry, Lockridge, Lindley, Macartney, Overstreet, Sayre, Smith of Delaware, Spaun, Van Vorhis, White, Yancey and Youche. Total, 17.

Those voting in the negative were:

Senators Bell, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Johnston, Johnson, Keiser, Magee, Marvin, McClure, McCulloch, McIntosh, Null, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 25.

So the motion was lost.

Senator Macartney stated that he was paired with Senator Hutchinson, and declined to vote.

Senator May stated that he was paired with Senator Ristine, and declined to vote.

The President of the Senate announced that he had signed Enrolled Act of the Senate, No. 287, and Enrolled Act of the House, No. 52.

The special order was called up, it being Senate Bill No. 19.

The following message was received from the House, at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker to inform the Senate that the Speaker of the House of Representatives has signed Enrolled Act No. 200, of the House, and Senate Joint Resolution No. 1.

EDWINS,  
Principal Clerk.

On motion of Senator Brown the Senate adjourned.

THOMAS HANNA,  
President of the Senate.



## TUESDAY MORNING.

FEBRUARY 27, 1883.

Senate met at 9 o'clock, Lieutenant Governor Hanna in the Chair.

Prayer was offered by the Rev. George S. Steigerwald, of St. John's Cathedral, Indianapolis.

The Journal was being read, when, on motion of Senator Campbell, the further reading of the minutes was dispensed with.

Senate Bill No. 283 was taken up with the message from the House, with House amendments thereon, as follows:

MR. SPEAKER:

I move to amend Senate Bill No. 283 by striking out, wherever they occur, the words "January 1," and insert in lieu thereof the words "October 31."

J. D. McHENRY.

The amendment was concurred in.

Senator Ernest, from Committee on Enrolled Bills, made the following reports:

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Act No. 50, Senate.

JOSHUA ERNEST,  
Chairman.

February 22, 1883.



MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Act No. 2.

JOSHUA ERNEST,  
Chairman.

February 26, 1883.

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Joint Resolution No. 1, with Enrolled Senate Act No. 1, and find the same correctly enrolled.

JOSHUA ERNEST.

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Act No. 287 with Enrolled Senate Act 287, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Act No. 287.

JOSHUA ERNEST,  
Chairman.

February 26, 1883.

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Act No. 134.

JOSHUA ERNEST,  
Chairman.

February 26, 1883.

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Act No. 113.

JOSHUA ERNEST,  
Chairman.

February 26, 1883.



MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Act No. 22.

JOSHUA ERNEST,  
Chairman.

February 26, 1883.

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Act No. 17.

JOSHUA ERNEST,  
Chairman.

February 26, 1883.

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Act No. 89.

JOSHUA ERNEST,  
Chairman.

February 26, 1883.

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Act No. 192.

JOSHUA ERNEST,  
Chairman.

February 26, 1883.

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Act No. 197.

JOSHUA ERNEST,  
Chairman.

February 26, 1883.



MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Act No. 207, Senate.

JOSHUA ERNEST,  
Chairman.

February 22, 1883.

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Act No. 20, Senate.

JOSHUA ERNEST,  
Chairman.

February 26, 1883.

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 283 with Enrolled Senate Act No. 283, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

Senator Magee, from the Committee on Corporations, on House Bill No. 53, and on Senate Bill No. 238, reported as follows:

MR. PRESIDENT:

The Committee on Corporations beg leave to report that it has had under consideration House Bill No 53, and that a majority thereof are of the opinion that said bill should pass.

MAGEE,  
Chairman.

February 19, 1883.

Also,



MR. PRESIDENT:

Your Committee on Corporations, to whom was referred Senate Bill No. 238, report that they have had the same under consideration, and a majority of your committee recommend that said bill do pass.

MAGEE.

Senator Brown was given consent to offer the following resolution:

SENATE CONCURRENT RESOLUTION NO. 11.

*Resolved, by the Senate, the House of Representatives concurring,* That the Senate and House of Representatives convene in the Hall of the House on Tuesday, February 27, 1883, at 11 o'clock A. M., and proceed at once to elect a President of the Board of Benevolent Institutions, one Trustee for the Hospital for the Insane, one Trustee for the Institution for the Deaf and Dumb, one Trustee for the Institution for the Education of the Blind, and three Trustees for the Asylum for Feeble-Minded Children and Soldiers' Orphans' Home.

BROWN.

Senator Brown moved the adoption of said resolution.

It was so ordered.

Senator Willard, from the Committee on Public Buildings, reported as follows:

Your Committee on Public Buildings and State Library, to which was referred that portion of the message of the Governor of Indiana to the Legislature, in reference to the new State House now in process of construction, have investigated the subjects so referred to them, and beg leave to report: That the contract for the erection of said State House was executed August 30, 1878, in pursuance of the provisions of an Act of the General Assembly, approved March 14, 1877, between the Board of State House Commissioners, of the first part, and the firm of Kanmacher & Denig, of the second part, in which contract Kanmacher & Denig agreed to build said State House, according to the plans of Edwin May, architect, for \$1,509,621.65,



the Commissioners to make partial payments as the work of construction should progress, as often as Kanmacher & Denig should require, on estimates to be made by the supervising architect, the materials inspected and work done, such payments to be 90 per cent. of the amount of the estimate, the remaining 10 per cent. to be paid on the completion of the building to the satisfaction of the architect; the Commissioners to furnish the steam heating apparatus, hydraulic elevators, the greater part of the glass, also marble mantels, tile and most of the hardwares, and a vault and vault doors. For the purpose of making partial estimates and fixing prices, the parties agreed that the prices set forth in certain schedules, numbered 1 to 11, should be taken as the proper quantities for all the work designated; that the supervising architect in making monthly estimates should affix the prices therein given, though the schedules were not construed to be any part of the agreement further than as a basis of estimates and payments, all materials to be subject to the approval of the superintending architect and the superintendent of the work appointed by the Board, and, in case of disagreement, the Board to decide.

The contract also contains this further provision:

It is further agreed that at any time, if in the opinion of the party of the first part the said second party shall fail to prosecute the work of constructing said building as fast as the first party shall require, then the first party may, if they so choose, contract for materials and hire laborers and mechanics and proceed with the work as they may determine, and all the cost of such materials and expense of such laborers and mechanics, or other necessary expenses incurred in prosecuting the work shall be charged to the second party, and all such expenditures shall be acknowledged and treated as a payment to the second party, the same as if the second party had furnished such work and materials and other said expenditures in constructing said building in accordance with the terms of this agreement, and said second party shall also be liable on their bond executed to insure their performance of this contract, for any excess of expenditures so made by said first party in excess of their contract price, for all work so done and materials so furnished.



The contract also contains this further provision :

It is further agreed that the right is reserved, at any time, when in the opinion of said Board of Commissioners the second party shall fail to prosecute the construction of said building as fast as said Board shall require, the said Board may declare and treat this contract as abandoned on the part of said second party, after a notice in writing served upon said second party at least thirty days previously, and may relet the construction of said building to other party or parties, and hold said second party responsible upon their bond executed to insure their performance of this contract, for all losses, damages and expenses, direct and indirect, caused or occasioned because of such abandonment of this contract by said second party, as well as any and all increase in the cost of constructing said building caused by such reletting or relettings thereof to other party or parties.

And also the following provision :

It is further agreed that the right is reserved to said Board in the event of the death of said Kanmacher and Denig, party of the second part, or for any good cause shown, and to the Legislature, by concurrent vote of both Houses, to annul this contract at any time, and said board shall make no allowance to the second party, or their representatives, for damages, because of such annulling of this contract, it being agreed, however, that said second party shall be allowed a just and reasonable price for all materials furnished and labor performed in the construction of said building at the time of such annulling of said contract not estimated and paid for.

The performance of the foregoing contract was secured by the following bond :

Know all men by these presents, That we, George Henry Kanmacher and Rush S. Denig, partners under the firm name of Kanmacher & Denig, of the city of Columbus and State of Ohio, and Rush S. Denig, of said city of Columbus, Elias F. Goebel, Columbus R. Cummings, of Pekin, Tazewell county, State of Illinois, are held and firmly bound unto the Board of State House Commissioners, of the State of Indiana, in the penal sum of two hundred and fifty thousand dollars, for the



payment of which, well and truly to be made, we bind ourselves, our heirs, administrators and assigns, jointly and severally, formally by these presents, sealed with our seals and dated this second day of October, 1878.

The conditions of this obligation are such that, whereas the said Kanmacher & Denig have, on the 30th day of August, A. D. 1878, entered into a contract in writing with the said Board of State House Commissioners for furnishing materials and labor in the construction of a new State House for the State of Indiana, under the provisions of "An act to authorize and provide for the erection of a new State House, and for matters incident thereto," approved March 14, 1877.

Now, should the aforesaid Kanmacher & Denig fully and faithfully perform and suffer, all and singular, the terms, provisions, conditions and obligations of said contract above described, then this obligation to be null and void, otherwise in full force and effect.

Witness our hands and seals this 2d day of October, A. D. 1878.

(Signed),

KANMACHER & DENIG, [L. S.]

RUSH S. DENIG, [L. S.]

COLUMBUS R. CUMMINGS, [L. S.]

ELIAS F. GOEBEL, [L. S.]

The sureties upon said bond, Elias F. Goebel and Columbus R. Cummings, are both non-residents of the State of Indiana, but from the best information accessible to your committee, such sureties are solvent and sufficient.

That shortly after the execution of said contract the said Kanmacher & Denig executed with William B. Howard the following agreement, to-wit:

COPY.

WHEREAS, Columbus R. Cummings and Elias F. Goebel, have become sureties for George Henry Kanmacher and Rush S. Denig, co-partners, as Kanmacher & Denig, on a certain bond to the State of Indiana in the sum of two hundred and fifty



(\$250,000) dollars for the faithful performance by said Kanmacher & Denig of a certain contract for the building of the State House of the State of Indiana, dated the 30th day of August, 1878, and executed by James D. Williams, President of the Board of State House Commissioners, and by said Kanmacher & Denig; and, .

WHEREAS, Said Kanmacher & Denig are desirous of fully securing said Columbus R. Cummings and Elias F. Goebel from all liability on said bond;

Now, therefore, this agreement

*Witnesseth*, That said Kanmacher & Denig have made, constituted and appointed, and by these presents do make, constitute and appoint William B. Howard, their true and lawful attorney, for them, and in their name, place and stead, to draw all estimates and make all disbursements on said contract, hereby contracting and agreeing that he shall be the sole and only power to draw estimates and make disbursements on said contract. The said Howard, as a part of the consideration for the foregoing agreements, agrees that he will advance, from time to time, one-third of such money as may be necessary for the building of said State House.

No contract for an amount greater than the sum of one thousand dollars for work on said building, or for the purchase of material for use in said building, is to be made without the joint written consent of said Kanmacher & Denig and said William B. Howard, and all vouchers shall be certified, before payment, by said Kanmacher & Denig and said William B. Howard; said Kanmacher & Denig and said William B. Howard, in consideration of the foregoing agreement, and of the services to be rendered by said William B. Howard, agree with each other that if there is a net profit in the construction of said building on said contract, said William B. Howard shall receive one-third of said net profit, and in the event there is a loss on said contract, said William B. Howard shall bear one-third of such loss.

The three parties hereto, Kanmacher, Denig and Howard, may each draw from time to time for his personal use during



the continuance of this agreement, a sum or sums not exceeding the sum of twenty-five hundred dollars per annum.

In witness whereof, said Kanmacher & Denig, and said William B. Howard, have hereto set their hands this 4th day of October, A. D., 1878.

KANMACHER & DENIG,

WILLIAM B. HOWARD.

Signed in duplicate.

Before me the undersigned, Notary Public, personally appeared the above mentioned Rush S. Denig, and acknowledged the execution of the above instrument for and on behalf of said firm of Kanmacher & Denig, and personally appeared the said William B. Howard, and on his own behalf, acknowledged the execution of the above instrument, this 21st day of October, 1878.

Witness my hand and notarial seal.

[L. s.]

WM. P. KAPPES,

Notary Public.

That under the said agreement the said Howard has drawn estimates from the board, which have already been paid, as the attorney of the said Kanmacher & Denig, and has advanced money used in the construction of said State House. That some time after the execution of said agreement the said Kanmacher sold and assigned all his right, title and interest in the said contract to the said Howard for the sum of \$20,000, paid to him by said Howard, but that all the dealings of said board in reference to said contract have been with the firm of Kanmacher & Denig, so far as your committee has been able to ascertain. That the said Howard and the said Denig are, however, as between themselves, transacting business in reference to the construction of this State House in the name of Howard & Denig, and that their bank account is kept in that name. That it is claimed by the said Denig and the said Howard that



the portion of the said house already constructed has been constructed at a considerable loss to them, as follows:

Paid out on account of material .....	\$578,770	31
Paid out on account of pay rolls.....	274,840	72
Paid out on account of machinery and plans.....	65,070	18
Paid out on account of interest.....	30,026	03
Paid out on account of brick yard.....	27,227	72
Paid out on account of quarry.....	20,374	02
<hr/>		
Total paid out.....	\$996,308	98
Sundry receipts.....	25,084	56
Estimate receipts.....	683,790	32
<hr/>		
	\$708,874	88
Loss.....	\$287,434	10

That to offset said loss they have now in their possession as assets :

Plank (being construction materials), say.....	\$50,000	00
Retained 10 per cent., as per contract.....	64,598	59
Brick in hand and brick yard.....	27,400	00
Stone quarry, say .....	400	00
<hr/>		
Net loss.....	\$142,398	59

Of which loss about \$30,000 is for interest and \$20,000 was lost upon a stone quarry opened by said contractors, leaving a net loss in the building itself, exclusive of interest, of \$92,398.59. That a number of alterations will be required for the proper construction of said State House involving, in some cases, an increased expenditure, and in others a decreased expenditure.

That your committee have caused a careful estimate of said alterations to be made by the architect, by schedules, each schedule embracing the same matters as those contained in the schedules referred to in the said contract. That the in-



crease and decrease of expenditures upon each of said schedules is as follows:

	<i>Increase.</i>	<i>Decrease.</i>
Schedule No. 1.....	\$2,937 00	.....
“ “ 2.....	46,235 40	\$28,205 00
“ “ 3.....	21,055 47	6,708 50
“ “ 4.....	17,935 40	31,719 10
“ “ 5.....	22,359 97	21,658 14
“ “ 6.....	28,071 82	14,244 20
“ “ 7.....	8,212 20	.....
“ “ 8.....	.....	.....
“ “ 9.....	.....	.....
“ “ 10.....	49,007 79	.....
“ “ 11.....	.....	.....
Total .....	<u>\$190,814 55</u>	<u>\$102,534 94</u>

Showing the net increase of expenditure which will be rendered necessary by said alterations, \$88,279.61.

Your committee also caused said architect to prepare a careful estimate of the probable cost of building said building, including all the alterations hereafter to be made, as far as could be foreseen at the present, with the present prices of labor and materials, by schedules, as aforesaid, with the following result:

Schedule No. 1.....	\$14,407 15
“ “ 2.....	388,230 47
“ “ 3.....	136,212 30
“ “ 4.....	218,385 43
“ “ 5.....	41,446 46
“ “ 6.....	118,116 49
“ “ 7.....	62,485 74
“ “ 8.....	50,477 00
“ “ 9.....	15,625 54
“ “ 10.....	106,407 31
“ “ 11.....	12,944 92
Cost of Steam Heating.....	45,893 35
Paid to December 31, 1882.....	748,581 35
Total.....	<u>\$1,959,353 41</u>



That in the foregoing estimate, the sum of \$748,581.35 has not all been paid to the contractors, \$64,598.59 being the retained ten per cent., according to the terms of the contract, and is now in the hands of the State Treasurer. If the present contractors should fail to complete said house, and said contract is not annulled, this sum would remain the property of the State to indemnify it against any deficiencies. That in the foregoing estimates there is estimated a profit to the contractor of \$115,487.87, so that the cost of constructing the whole building, exclusive of this profit, would be \$1,833,865.54. That if the present contractors continue their contract and make the proposed alterations on the prices as estimated by the architect, they will be entitled to receive \$1,762,207.58, and will thereby, if the work is prosecuted upon the prices as estimated by the contractor, sustain a loss of \$71,657.96.

Your committee would further report that they examined Rush S. Denig, one of the contractors, upon the subject of the needs of the contractors; that he claimed to be the sole surviving partner of the firm of Kanmacher & Denig. That the committee also examined William B. Howard. Mr. Howard stated that he was not a contractor with the State. Mr. Denig also assumed the same position as to Mr. Howard. Mr. Howard, in his relation as claimed by him, simply as agent of the sureties, said he believed the estimate of the Commissioners heretofore appended, was a fair estimate of the cost of completing the new State House, and that he was willing to contract at that price. Mr. Denig, however, stated to the committee that the building, according to his views as contractor, could not be erected for less than \$2,500,000.

That the estimate of Mr. Denig (who claims to be the sole acting contractor recognized by the State) of the cost of completing said State House, is as follows:



Estimate of cost to complete State House :

Schedule 1, foundations .....	\$20,894 00
“ 2, stone work.....	650,295 80
“ 3, brick work.....	181,002 00
“ 4, iron work.....	357,812 96
“ 5, copper and slate .....	50,000 00
“ 6, carpenter work.....	100,000 00
“ 7, plastering .....	50,000 00
“ 8, painting and glazing .....	28,000 00
“ 9, plumbing.....	12,000 00
“ 10, slate and marble .....	20,000 00
“ 11, corridor finish.....	30,000 00
	<hr/>
	\$1,500,004 76
Sundry items furnished by Board.....	102,051 00
Additional derricks, ropes, etc.....	25,000 00
Contingencies, 10 per cent.....	150,000 47
	<hr/>
	\$1,777,056 23
Add amount received from State.....	683,790 32
Add amount of retained per cent.....	65,478 65
	<hr/>
	\$2,526,325 20

A majority of your committee are of opinion that from the facts above stated in reference to the contract between said Howard and Kanmacher and Denig, and the assignment of the interest of Kanmacher to said Howard, as well as by the subsequent manner in which the said parties have been transacting business, that said Howard being a participant both in the profit and loss arising from the construction of said State House, is a partner in the said undertaking, and, as such, liable to the State for failure properly to complete said State House. It might be questionable how far it would be proper for the State to treat him as such partner at the present time, since the introduction of a new person as principal contractor might discharge the obligation of the sureties upon the bond. And if the contract for the building of said State House should be abandoned, and the work should be done by the Commis-



sioners, as provided in the said original contract, and loss be thereby sustained to the State, it is believed by your committee that in the event that the sureties should not be held liable upon their bond, or should be insolvent, or the bond should be otherwise exhausted, that the State of Indiana would still have an adequate remedy against said Howard, who, as your committee believe from the best information they can obtain, is a person amply sufficient and responsible.

A majority of your committee, therefore, can not recommend that any additional appropriation be made to the present contractors, or that the present contract be in any manner rescinded by the State, or the work re-let; but as your committee believe the present Board of State House Commissioners have sufficient authority under the present law and the provisions of their contract with Kanmacher & Denig to go on and build the building themselves, in case the present contractors refuse to do so, and have sufficient authority to prosecute the said contractors upon their bond; or, if this should fail, to bring proceedings against said Howard upon his afore-said partnership liability, for any loss or deficiency which may be sustained by the State, and a majority of your committee do not recommend any additional legislation at the present session.

JAMES H. WILLARD,  
Chairman.

D. McCLURE,  
JAMES HILL,  
WM. D. FOULKE,  
L. D. ADKINSON.

Senator Smith of Jay, from the Committee on Public Buildings, etc., made the following minority report on the same subject:

MR. PRESIDENT:

The undersigned members of your Committee on Public Buildings and State Library, to whom was referred that part of the Governor's Message in relation to the new State House, beg leave to make the following minority report, to-wit:

1. We find that in pursuance of an act of the General Assembly of the State of Indiana, approved March 14th, 1877,



creating the Board of State House Commissioners, that said board did on the 30th day of August, 1878, enter into a contract with the firm of Kanmacher & Denig, in which contract the said Kanmacher & Denig agreed to build the new State House, at and for the price of \$1,509,621.65, according to the plans and specifications of Edwin May, Architect, the Commissioners to make partial payments as the work of construction progressed, as often as said Kanmacher & Denig should require, an estimate to be made by the Supervising Architect. For materials inspected and work done, the payments to be ninety per cent. of the amount of the estimate, the remaining ten per cent. to be retained by the board until the building should be completed by the said Kanmacher & Denig. For the purpose of making partial estimates and fixing prices, it was agreed by the parties that prices and quantities set forth in certain schedules Nos. 1 to 11, were to be taken as the proper prices and quantities for making such estimates. Though the schedules were not to be taken as any part of the contract, and all material was subject to the approval of the Supervising Architect, and the Superintendent of the work appointed by the board to decide.

We further find that the Board of Commissioners reserved the right to annul said contract at any time, if, in the judgment of said Board, the said contractors should fail to prosecute the work of construction as fast as the Board shall require; then the Board may, if they so choose, contract for materials, hire laborers and mechanics and proceed with the work, and all cost and expense occasioned thereby shall be charged to the contractors (Kanchacher & Denig), and all expenditures shall be acknowledged and treated as a payment to the said Kanmacher & Denig.

Second. We further find that the contract contains the further provisions that the right is reserved at any time when, in the opinion of the Board, the contractors, Kanmacher & Denig, shall fail to prosecute the construction of said building as fast as the Board shall require, the Board may declare and treat the contract as abandoned on the part of said Kanmacher & Denig, after a notice in writing, served on said Kanmacher & Denig at least thirty days previous, and may relet the construc-



tion of said building to other party or parties, and hold the said Kanmacher & Denig responsible on their bond executed to insure their performance of the contract.

Third. We further find that said Board makes no allowance to said Kanmacher & Denig, or their representatives, for any damage because of such annulling of the contract; it being agreed, however, that said party of the second part shall receive a just and reasonable price for all materials furnished and labor performed in the construction of said building at the time of such annulling of said contract not estimated and paid for.

We further find that the contract was secured by the following bond:

Know all men by these presents, That we, George Henry Kanmacher and Rush S. Denig, partners under the firm name of Kanmacher & Denig, of the city of Columbus, and State of Ohio, and Rush S. Denig, of said city of Columbus, Elias F. Goebel, Columbus R. Cummings, of Pekin, Tazewell county, State of Illinois, are held and firmly bound unto the State of Indiana in the penal sum of \$250,000, for the payment of which well and truly to be made, we bind ourselves, our heirs, administrators and assigns jointly and severally, formally by these presents.

Sealed with our seals, and dated this 2d day of October, 1878.

The conditions of this obligation are such that whereas, the said Kanmacher & Denig have, on the 30th day of August, A. D. 1878, entered into a contract in writing with the said Board of State House Commissioners, for furnishing materials and labor in the construction of a new State House for the State of Indiana, under the provisions of an act to authorize and provide for the erection of a new State House, and for matters incident thereto. Approved March 14, 1877.

Now, should the aforesaid Kanmacher & Denig fully and faithfully perform and suffer all and singular the terms, provisions, conditions and obligations of said contract above de-



scribed, then this obligation to be null and void, otherwise in full force and effect.

Witness our hands and seals this 2d day of October, A. D. 1878.

KANMACHER & DENIG,	[L. S.]
RUSH S. DENIG,	[L. S.]
COLUMBUS R. CUMMINGS,	[L. S.]
ELIAS F. GOEBEL.	[L. S.]

The sureties upon said bond, Elias F. Goebel and Columbus R. Cummings, are both non-residents of the State of Indiana, but from the best information accessible to your committee such sureties are solvent and sufficient.

That shortly after the execution of said contract the said Kanmacher & Denig executed with Wm. B. Howard the following agreement, to-wit:

WHEREAS, Columbus R. Cummings and Elias F. Goebel have become sureties for Henry Kanmacher and Rush S. Denig, co-partners as Kanmacher & Denig, on a certain bond to the State of Indiana, in the sum of \$250,000, for the faithful performance by said Kanmacher and Denig of a certain contract for the building of the State House of the State of Indiana, dated the 30th day of August, 1878, and executed by James D. Williams, President of the Board of State House Commissioners, and by said Kanmacher & Denig. And,

WHEREAS, Said Kanmacher & Denig are desirous of fully securing said Columbus R. Cummings and Elias F. Goebel from all liabilities on said bond.

Now, therefore, this agreement witnesseth, that said Kanmacher & Denig have made, constituted and appointed, and by these presents do make, constitute and appoint William B. Howard, their true and lawful attorney for them, and in their name, place and stead, to draw all estimates, and make all disbursements on said contract, hereby contracting and agreeing that he shall then have sole and only power to draw estimates and make disbursements.

The said Howard, as a part of the consideration for the foregoing agreement, agrees that he will allow, from time to time,



one-third of such money as may be necessary for the building of said State House.

No contract for an amount greater than the sum of one thousand dollars for work on said building, or for the purchase of material for use in said building, is to be made without the joint written consent of Kanmacher & Denig and said William B. Howard, and all vouchers shall be certified, before payment, by said Kanmacher & Denig and said William B. Howard. Said Kanmacher & Denig and said William B. Howard, in consideration of the foregoing agreement, and of the services to be rendered by said William B. Howard, agree with each other that if there is a net profit in the construction of said building on said contract, said William B. Howard shall receive one-third of said net profits; and, in the event there is a loss on said contract, said William B. Howard shall bear one-third of said loss. The three parties hereto, Kanmacher, Denig and Howard may each draw, from time to time, for his personal use during the continuance of this agreement, a sum or sums not exceeding the sum of twenty-five hundred dollars.

In consideration whereof said Kanmacher & Denig and said William B. Howard have hereto set their hands, this 4th day of October, A. D. 1878.

[SEAL.]

KANMACHER & DENIG,  
WILLIAM B. HOWARD.

*[Signed in Duplicate.]*

Before me, the undersigned Notary Public, personally appeared the above mentioned Rush S. Denig and acknowledged the execution of the above instrument for and in behalf of said firm of Kanmacher & Denig; and personally appeared the said William B. Howard and, on his own behalf, acknowledged the execution of the above instrument, this 31st day of October, A. D. 1878.

Witness my hand and notarial seal:

[SEAL.]

WILLIAM P. MORSE,  
Notary Public.

That, under the said agreement, the said Howard has drawn estimates from the Board which have already been paid as the



attorney of the said Kanmacher & Denig, and has advanced money used in the construction of said State House; that some time after the execution of said agreement the said Kanmacher sold and assigned all his right, title and interest in the said contract to the said Howard, for the sum of \$20,000, paid to him by said Howard, but that all their dealings of said Board, in reference to said contract, have been with the firm of Kanmacher & Denig, so far as your committee has been able to ascertain; that the said Howard and the said Denig are, however, as between themselves, transacting business in reference to the construction of this State House, in the name of Howard & Denig, and that their bank account is kept in that name; that it is claimed by the said Denig and the said Howard that the portion of the said house already constructed has been constructed at a considerable loss to them, as follows:

Paid out on account of material.....	\$578,770 31
Paid out on account of pay rolls.....	274,840 72
Paid out on account of machinery and plans.....	65,070 18
Paid out on account of interest .....	30,026 03
Paid out on account of brick yard.....	27,227 72
Paid out on account of quarry .....	20,374 02

Total paid out.....	\$996,308 98
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Summary receipts.....	\$25,084 56
Estimates receipts.....	683,790 32

Total .....	708,874 88
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Loss.....	\$287,434 10
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That to offset said loss, they have now in their possession as assets—

Plank (being construction materials) say .....	\$50,000 00
Retained 10 per cent. as per contract.....	64,599 59
Brick on hand and brick yard.....	27,400 00
Stone quarry say.....	400 00

Net loss .....	\$142,398 59
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Of which loss about \$30,000 is for interest, and \$20,000 was lost on a stone quarry opened by said contractors, leaving a net loss on the building, exclusive of interest, of \$92,398.59.



We also find there will be a number of alterations required for the proper construction of said State House involving in some cases an increase of expenditures, and in others a decrease, which, according to estimates furnished by the architect, are as follows:

	<i>Increase.</i>	<i>Decrease.</i>
Schedule No. 1 .....	\$2,937 00	.....
“ “ 2 .....	46,235 40	\$28,205 00
“ “ 3 .....	21,055 47	6,708 50
“ “ 4 .....	17,935 40	31,719 10
“ “ 5 .....	22,359 97	21,658 14
“ “ 6 .....	28,071 32	14,244 20
“ “ 7 .....	3,212 20	.....
“ “ 8 .....	.....	.....
“ “ 9 .....	.....	.....
“ “ 10 .....	49,007 79	.....
Total .....	\$190,814 55	\$102,534 94
Net increase .....		\$88,279 61
Advance in material .....		109,866 22

Your committee caused said architect to prepare a careful estimate of the probable cost of said building, including all the alterations as far as could be foreseen with present prices of material and labor, with the following result:

Schedule No. 1.....	\$14 407 15
“ “ 2.....	388,270 47
“ “ 3.....	136,212 30
“ “ 4.....	218,385 43
“ “ 5.....	41,446 46
“ “ 6.....	118,116 49
“ “ 7.....	62,485 74
“ “ 8.....	50,477 00
“ “ 9.....	15,625 54
“ “ 10.....	106,407 01
“ “ 11.....	12,944 92
Cost of heater.....	\$145,893 35
Paid to December, 1882.....	748,581 35
Cost of building when completed.....	\$1,959,353 41



That in the foregoing estimate the sum of \$748,581.35 has not at all been paid to the contractors, \$64,598.57 being the 10 per cent. retained according to the terms of the contract now in the hands of the Treasurer of State, which sum would remain the property of the State should the contract be annulled. That in the foregoing estimates there is estimated a profit of \$115,487.87; that if the present contractors continue under the changes to the matter they will be entitled to receive \$1,762,207.58, and will thereby, if the work is prosecuted upon the prices as estimated by the contractors, sustain a loss of \$71,657.96

We further find from the evidence adduced before the committee, that W. B. Howard has furnished the money and means to buy the materials, and pay for the labor for the new State House, and we further find from the evidence adduced before the committee that the firm of Kanmacher & Denig, nor neither of them, have the means to complete said State House, and can not complete said house unless aided by said Howard.

We further find from the said evidence that said Howard refuses to furnish any more means to build said house under the present contract, but will agree to take the responsibility of the completion of said house and complete the same within the original limit of \$2,000,000.

We further find that the most rigid economy has been practiced by the Board of Commissioners, and the best material has been used in the construction of said building.

We further find that about one-third of said building is constructed, and that the present contractors are so situated that they could prosecute the work without any delay, while if any other person or persons were to undertake to complete said building, the completion would be retarded at least from six months to one year. Under all the evidence we believe that there would be a saving to the State of a large sum of money to allow the Commissioners to contract with Howard & Denig to complete said building within the \$2,000,000, and, therefore, we recommend the passage of the bill prepared by the Commissioners, which bill accompanies this report.

JNO. M. SMITH.

J. H. LINDLEY.

Minority Committee.



The reports were made a special order for to-morrow at 2 o'clock P. M., and 200 copies of the majority and minority reports were ordered printed.

Senator McCulloch moved to take up Senate Bill No. 178, to suspend the constitutional rule, and to read the bill a second time by title, a third time by sections, and place it upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Benz, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Voyles, White, Willard, Yancey and Youche. Total, 44.

No Senator voting in the negative.

So the rules were suspended.

The bill was read a second time by the title, with the report of the committee thereon.

The report of the committee was concurred in.

The bill was ordered considered engrossed.

The bill was read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Graham, Henry, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney,



Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Voyles, White, Willard, Yancey and Youche. Total, 44.

No Senator voting in the negative.

So the bill passed.

The title was adopted as read.

Senator Keiser moved to take up House Bill No. 29, an act to enable the several counties of this State to sell and dispose of lands forfeited to the State for the use and benefit of the school funds, etc.; to suspend the constitutional rule; to read the bill a first time, a second time by title, a third time by sections, and place it upon its passage.

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Graham, Henry, Hill, Hoover, Hutchinson, Johnson, Keiser, Lockridge, Lindney, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Voyles, White, Yancey and Youche. Total, 40.

No Senator voting in the negative.

So the constitutional rule was suspended.

The bill was read a first and second time by title, a third time by sections, the question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Graham, Henry, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Mar-



vin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Voyles, White, Willard, Yancey and Youche. Total, 41. .

Senator Faulkner voted in the negative.

So the bill passed.

The title was adopted as read.

The President of the Senate announced that he had signed Enrolled Joint Resolution, Senate, No. 1, and Enrolled Act, House, No. 200.

Senator Voyles moved to take up House Bill No. 117, to suspend the constitutional rule, to read the bill a first and second time by title, a third time by sections, and place it upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Ernest, Faulkner, Fleming, Fletcher, Graham, Hill, Hilligass, Hoover, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Voyles and White. Total, 36.

Those voting in the negative were:

Senators Henry and Youche. Total, 2.

So the constitutional rule was suspended.

The bill was read a first time by title, a second time by title, and a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Brown, Campbell, Compton, Davidson, Ernest, Faulkner, Fleming, Fletcher, Henry, Hill, Hoover,



**Johnson, Lockridge, Lindley, Magee, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Ristine, Sayre, Spann, Van Vorhis, Voyles, White, Willard and Yancey. Total, 32.**

**Those voting in the negative were:**

**Senators Duncan, Johnston, Keiser, Macartney, Marvin, Rahm, Richardson, Smith of Delaware, Smith of Jay, and Youche. Total, 9.**

**So the bill passed.**

**The title was adopted as read.**

**Senator Spann moved to suspend the order of business and take up Senate Joint Resolution No. 2, and that it be put upon its passage.**

**It was so ordered.**

**The question being, Shall Senate Joint Resolution pass?**

**The ayes and nays were taken and resulted as follows:**

**Those voting in the affirmative were:**

**Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Fleming, Fletcher, Graham, Henry, Hutchinson, Lockridge, Lindley, Macartney, Magee, Overstreet, Rahm, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, White, Willard and Yancey. Total, 28.**

**Those voting in the negative were:**

**Senators Duncan, Ernest, Faulkner, Hill, Hoover, Johnston, Johnson, Marvin, May, McCulloch, McIntosh, Null, Richardson, Voyles and Youche. Total, 16.**

**So the resolution passed.**

**Senator Bell offered the following amendment to the title:**

**A Joint Resolution providing for the payment of a claim in favor of Mrs. Edwin May, and appropriating money therefor.**

**Which was adopted.**

**The title was adopted as amended, and read.**



Senator Henry moved to reconsider the vote by which House Bill No. 117 was passed.

It was so ordered.

The question being, Shall the bill pass?

Senator Henry offered the following amendment:

MR. PRESIDENT:

I move to amend the bill as follows:

Strike out the word "is" at the end of line 5, on page 2, and the word "sold" at beginning of line 6, same page, and insert in lieu thereof the word "unsold."

HENRY.

Which was adopted.

The question being on the passage of the bill.

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Campbell, Compton, Ernest, Faulkner, Fleming, Fletcher, Henry, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Lockridge, Lindley, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Ristine, Sayre, Spann, Voyles, White, Willard and Youche. Total, 32.

Those voting in the negative were:

Senators Bundy, Duncan, Graham, Keiser, Macartney, Richardson, and Smith of Delaware. Total, 7.

So the bill passed.

The title was adopted as read.

Senator Hoover moved to take up Senate Bill No. 236, to suspend the constitutional rule, to read the bill a second time by title with the report of the committee thereon, that it be ordered considered engrossed, read a third time by sections, and place it upon its passage.



The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Faulkner, Fleming, Fletcher, Hill, Hilligass, Hoover, Hutchinson, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, White, Willard, Yancey. Total, 41.

Senator Johnson voted in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title, with the report of the committee thereon.

The report of the committee was concurred in.

The bill was ordered considered engrossed and read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Hill, Hilligass, Hoover, Hutchinson, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, Null, Overstreet, Rahm, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 40.

Those voting in the negative were:

Senators Johnston, Richardson, and Smith of Jay. Total, 3.

So the bill passed.

The title was adopted as read.



Senator Bichowsky moved to take up House Bill No. 407, suspend the constitutional rule, read the bill a first and second time by title, a third time by sections, and be placed upon its passage.

The ayes and nays were taken, with the following result:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Hill, Hilligass, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, May, McClure, McCulloch, Null, Overstreet, Rahm, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 38.

Those voting in the negative were:

Senators Faulkner, Marvin, McIntosh, Richardson, and Smith of Jay. Total, 5.

So the constitutional rule was suspended.

The bill was read a first and second time by title, and a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, with the following result:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Brown, Bundy, Campbell, Compton, Ernest, Fleming, Fletcher, Foulke, Graham, Hill, Hilligass, Hoover, Hutchinson, Johnson, Lockridge, Lindley, Macartney, Magee, May, Overstreet, Rahm, Ristine, Sayre, Spann, Van Vorhis, White, Willard and Yancey. Total, 30.

Those voting in the negative were:

Senators Benz, Davidson, Duncan, Faulkner, Johnston, Marvin, McClure, McIntosh, Richardson, Smith of Delaware, Smith of Jay, and Voyles. Total, 10.

So the bill passed.

The title was adopted as read.



Senator May moved to take up House Bill No. 285, to suspend the constitutional rule, the bill be read a first and second time by title, read a third time by sections, and place it upon its passage.

The ayes and nays were taken, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bell, Benz, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Faulkner, Fleming, Fletcher, Graham, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Willard and Yancey. Total, 39.

No Senator voted in the negative.

So the constitutional rule was suspended.

The bill was read a first and second time by title, and third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Ernest, Faulkner, Fleming, Fletcher, Graham, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, Willard, Yancey and Youche. Total, 41.

No Senator voted in the negative.

The bill passed.

The title was adopted as read.



The following messages from the House were received by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives has passed Senate Concurrent Resolution No. 11, convening both Houses in joint session at 11 o'clock A. M., Tuesday, February 27, for the purpose of electing certain officers.

EDWINS,  
Principal Clerk.

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives has appointed Messrs. Shively and Mock as a conference committee on the part of the House on Senate Bill No. 6, on the subject of roads and highways.

Also, that the House of Representatives has passed Engrossed House Bill No. 61, for the relief of Township Trustees, and the same are herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House passed Senate Bill No. 78, for an act to establish a State Bureau of Statistics and Geology, with House amendments thereto, and declaring an emergency, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

#### HOUSE AMENDMENT TO BILL NO. 78, OF THE SENATE.

MR. SPEAKER:

Your Committee on Judiciary, to whom was referred Senate Bill No. 78, have had the same under consideration and have instructed me to report the same back to the House with the



following recommendation that the same be amended as follows:

That the words "and Geology," on page 5, in line 5, be stricken out, and when so amended the same do pass.

M. MULLEN.

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House of Representative has agreed to the report of the Conference Committees of the House and Senate, making certain amendments to Senate Bill No. 6, in relation to roads and highways, and the same are herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Senator Voyles moved that the Senate concur in the following House amendments to Senate Bill No. 6.

[Engrossed Amendments to Senate Bill No. 6, reported by Conference Committee of the two Houses, and concurred in by the House February 26.]

Add to section 1, the following words:

"It shall be the duty of each Township Trustee, upon dividing his township into road districts, within ten days thereafter, to file in the Auditor's office of his county a correct plat of such districts, showing the sections and parts of sections of land in each, with the districts properly numbered thereon, in their order, beginning in the northeast corner of the township; and the Auditor shall record the same in the record book of the Board of Commissioners, and for such duty the Auditor shall be allowed fifty cents for each road district, and no more."

Amend section 3 by striking out of the line next to the last the word "once," and insert "one term." •

Amend section 15 by striking out of line 18 the words "similar extra," and strike out of line 19, of said section 15, the words "if any."



Amend section 16 by adding after the word "supervisor," in fourth line, to close of section, the following, viz.: "And such bond shall be filed with and approved by the appraisers, and thereupon the papers shall be delivered to a Justice of the township."

Amend section 19 by striking the same out, and inserting the following: "Section 19. If the probable cost of constructing any bridge or culvert shall exceed fifty dollars, it shall be the duty of the Township Trustee of the township where such proposed bridge or culvert is to be located, to notify the Board of Commissioners of his county of the necessity of such bridge or culvert, and to state the probable cost, and thereupon it shall be the duty of such Commissioners to appoint three disinterested freeholders of the county to examine and report upon such proposed bridge or culvert, and if a majority of such viewers report that such bridge or culvert would be of general utility, and that the same would cost fifty dollars or more, such board shall order such bridge or culvert to be constructed and paid for out of the county bridge fund."

Amend section 20 by striking out of line 3 the word "assess," and insert the word "levy."

Also, amend section 20 further by striking out of line 11 the following words, "provided in the act defining the duties of Township Trustees," and insert these words, to-wit, "other taxes are collected, except all road taxes are to be collected with the first yearly installment of taxes."

Amend section 20 further by striking out the words in line 20, to-wit, "County Auditor to procure and deliver each year to the proper," and insert after the word "trustee," in line 22, these words, to-wit, "to procure."

Amend section 20 further by striking out all after, and including, the word "all," in line 40, and insert the following: "All credits allowed by a County Treasurer for road taxes worked out shall, upon settlements with Township Trustees, be properly distributed and charged; and Road Supervisors are required to make out and deliver to the Township Trustee, on or before the first day of December in each year, a sworn statement containing a true list of all persons of their respective



road districts having worked out their road tax, or any part thereof, during the year, together with the amount worked out by each person, and Township Trustees are required to make out a similar statement, covering his entire township, and he shall verify the same and deliver it to the County Auditor on or before January 1st, in each year; and the Treasurer of the county is authorized to enter the several amounts of road tax credit so certified upon the tax duplicate in the proper place in favor of such persons having so worked out their taxes."

Amend section 22 by inserting after the word "bridges," in line 12, these words: "or any part thereof."

Amend section 25 by adding thereto the following: "Township Trustees shall procure with available funds belonging to roads in their hands, such tools and implements as may be necessary for road districts."

Amend section 29 by striking out the same and inserting the following:

**SECTION 29.** All road money on hand, or that may hereafter be paid to the County Treasurer, under the provisions of any previous act, shall be paid to the proper Township Trustee and be expended by him, as other road funds are required by this act to be expended during the year it was received.

Amend section 30 by striking out of line 1, these words: "on the last Saturday in September," and insert these words: "on or before the first day of December."

Amend section 35 by inserting in line 13, after the word "superintendent," the words "or former Trustee."

And when said Senate Bill No. 6 is so amended, we recommend its passage.

For reasons above set forth we recommend that House Bill No. 48 lie on the table.

Respectfully submitted,

SAMUEL B. VOYLES,

CHARLES L. HENRY,

On part of the Senate.

JOHN R. JORDAN,

JACOB H. FLEECE,

GEORGE A. ROBERTSON,

On part of the House.



The following message was received from the Governor:

EXECUTIVE DEPARTMENT,  
INDIANAPOLIS, Feb. —, 1883. }

*To the Honorable the President of the Senate:*

SIR:—The Governor desires respectfully to inform the Senate that he has approved and signed Senate Enrolled Bill No. 207, and has also received Senate Enrolled Bill No. 102, which has become a law by the expiration of the constitutional limit of time without the approval of the Governor. He has caused them to be filed in the office of the Secretary of State.

FRANK H. BLACKLEDGE,  
Private Secretary.

The following message was received from the House, at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives has passed Engrossed Senate Bill No. 173, fixing certain fees to be taxed in the offices, and the salaries therein named, and the same is herewith transmitted to the Senate for further action thereon.

EDWINS,  
Principal Clerk.

A committee from the House reported the House now ready for joint convention for the election of certain officers of the Benevolent Institutions.

Senator Brown moved that the Senate proceed at once in a body to the House.

It was so ordered.

The Senate accordingly went in a body to meet the House in joint convention.

The Senate having returned to its chamber from the meeting of the joint convention in the House, Senator Voyles moved that the Senate adjourn.

It was so ordered.



## AFTERNOON SESSION.

FEBRUARY 27, 1883.

Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

Senator Henry moved that the Senate refuse to concur in the House amendments to Senate Bill No. 6, and that a Conference Committee be appointed to report at 4 o'clock P. M.

It was so ordered.

Senators Henry and Willard were appointed as such Committee of Conference.

The following message of the House was received at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House of Representatives to inform the Senate that the Speaker has signed enrolled act of the Senate No. 283.

EDWINS,  
Principal Clerk.

Senator Willard, from the Committee on Finance on House Bill No. 51, reported as follows:

MR. PRESIDENT:

Your Committee on Finance, to which was referred House Bill No. 51, entitled a bill for an act to provide for the taxation of dogs, to regulate matters properly connected therewith, and providing penalties for violation of the same, etc., and to repeal an act entitled, "An act to protect sheep husbandry, to regulate matters connected therewith," etc., approved April 13, 1881, and declaring an emergency, would respectfully report that they have had the same under consideration, and a major-



ity of said committee have directed me to report said bill back to the Senate, with the recommendation that the same do pass.

**JAMES H. WILLARD.**

When the bill was read a second time.

Senator Voyles moved that Engrossed Senate Bill No. 173 be taken up, with the House amendments thereon, as follows:

Engrossed House Amendment to Senate Bill No. 173, February 26. Add to Section 7 the following:

*Provided*, That the Clerk of the Circuit Court shall receive for attendance upon the Circuit Court the same per diem as is allowed for attendance upon Criminal and Superior Courts, and that the amendment be concurred in.

It was so ordered.

Senator Brown, from the special committee on House Bill No. 91, presented a majority report from said committee, to be taken up at a future time for action of the Senate.

The said report was not read.

Senator May, from same committee, presented a minority report, which was to be called up at a future time for action of the Senate.

The said report was not read.

Senator Magee moved to take up Senate Bill No. 78, and the amendments by the House proposed to said bill, as follows:

**ENGROSSED HOUSE AMENDMENT TO SENATE BILL NO. 78, FEB. 27.**

Amend said bill, as follows:

Strike out the words "and geology," on page 5, in line 5.

Senator Bell moved that the Senate concur in the amendment.

The motion was adopted and the amendment was concurred in.



Senator Bell, from the Committee on Judiciary, on House Bill No. 103, reported as follows:

**MR. PRESIDENT:**

Your Committee on Judiciary, to whom was referred House Bill No. 103, have had the same under consideration, and a majority of said committee recommend that said bill do pass.

**BELL.**

Senator Sayre moved to suspend the constitutional rule, take up House Bill No. 103, read it a second time by title, with the report of the committee thereon, a third time by sections, and placed upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Faulkner, Fleming, Foulke, Graham, Hill, Hilligass, Hoover, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Willard and Youche. Total, 38.

No Senator voted in the negative.

So the rule was suspended.

The bill was read a second time by title, with the report of the committee thereon.

The report was concurred in.

The bill was read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Faulkner, Fleming, Fletcher,



Foulke, Graham, Hill, Hilligass, Hoover, Hutchinson, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Yancey and Youche. Total, 39.

No Senator voting in the negative.

So the bill passed.

The title was adopted as read.

The following message from the House was received by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives has passed House Engrossed Bill No. 464, for "An act to amend an act to provide for the management and disposal of the estates of persons who have absented themselves from their usual places of residence."

Also, that the Speaker of the House of Representatives has signed Enrolled Senate Act No. 52, and the same are herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

The following messages were received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives has agreed to Senate amendments to House Bill No. 117.

EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives has passed House Bill No. 420, for



an act providing means for the erection of the New State House, providing for the collection of certain taxes, etc.

Also, House Bill No. 230 for an act to legalize the sale of certain real estate in Connersville.

And the same are herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Senator Faulkner, from the Committee on Federal Relations, on Engrossed House Bill No. 13, reported as follows:

MR. PRESIDENT:

Your Committee on Rights and Privileges, to whom was referred House Bill No. 13, have had the same under consideration, and a majority of said committee recommend that said bill do pass.

FAULKNER,  
Chairman.

Senator Faulkner moved to suspend the constitutional rules, read the bill a second time by title, with the report of the committee thereon, read a third time by sections, and be placed upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Yancey and Youche. Total, 42.

Senator Brown voting in the negative.

So the constitutional rules were suspended.



The bill was read a second time by title, with the report of the committee thereon.

Which report was concurred in.

The bill was read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 43.

Those voting in the negative were:

Senators Bundy, Marvin, and Smith of Jay. Total, 3.

So the bill passed.

The title was adopted as read.

Senator Henry, from the Committee on Conference, on Senate Bill No. 6, reported as follows:

Report of Committee of Conference on the part of the House and Senate, on Senate Bill No. 6:

MR. PRESIDENT:

Your Committee on Conference, appointed on the part of the House of Representatives and the Senate, to which was referred Senate Bill No. 6, with engrossed House amendments, would respectfully report they have had said Senate Bill No. 6 under consideration and recommend that the Senate shall agree to all the House amendments except the following amendment to section 20, viz.: Strike out the words in like 20, to-wit:



"County Auditor to procure and deliver each year to the proper," and insert after the word "trustee," in line 22, these words, to-wit: "To procure." And your committee recommend that the House of Representatives recede from said amendments.

CHARLES L. HENRY,  
JAMES H. WILLARD,  
HARVEY B. SHIVELEY,  
LEVI MOCK.

Senator Williard moved that the report of the committee be concurred in.

It was adopted.

Senator Bell moved that the Senate concur in the amendments of the House to Senate Bill No. 6.

It was adopted.

The Lieutenant Governor announced that he had signed enrolled acts of the Senate Nos. 78 and 52.

The following messages were received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives has passed House Bill No. 110, concerning proceedings in civil cases.

Also, House Engrossed Bill No. 369, for an act concerning duties of certain State, county and township officers, and the same are herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives has passed Engrossed Senate Bill No. 203, authorizing the Trustees of the Institution for the



Education of the Deaf and Dumb, to sell a certain strip of land, and declaring an emergency; and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives has passed Senate Bill No. 6, concerning highways and supervisors thereof, and House amendments thereto.

Also, Senate Bill No. 52, to amend section 218 of an act concerning taxation, and the same are herewith transmitted to the Senate for its further action.

EDWINS,  
Principal Clerk.

Senator Smith, of Jay, from the Committee on l'hraseology, on Engrossed Senate Bill No. 247, reported as follows:

MR. PRESIDENT:

Your Committee, to whom was referred Engrossed Bill No. 247, have had the same under consideration and I am directed to return the same, with the recommendation to insert after the word "that" in line 1, page 7, the word "if."

SMITH,  
Of Jay.

The report of the committee was concurred in.

Senator Adkinson moved that Engrossd House Bill No. 14, be taken up and read a first time.

It was so ordered.

The bill was read a first time and referred to the Committee on Judiciary.



The following message was received from the Governor:

EXECUTIVE DEPARTMENT,  
INDIANAPOLIS, February 27, 1883. }

*To the Honorable the President of the Senate:*

SIR—I am directed by the Governor to inform the Senate that he has approved and signed Senate Enrolled Bills Nos. 2, 17, 20, 22, 89, 134, 192, 197 and 287, and has also received Senate Enrolled Joint Resolution No. 1; and he has caused them to be filed in the office of the Secretary of State.

Respectfully,

FRANK H. BLACKLEDGE,  
Private Secretary.

Senator Johnson moved to take up House Bill No. 198, to suspend the constitutional rule to read the bill a first and second time by title, a third time by sections, and place it upon its passage.

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Foulke, Graham, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White, Willard and Yancey. Total, 43.

No Senator voted in the negative.

So the constitutional rule was suspended.

The bill was read a first and second time by title, a third time by sections.

The question being, Shall the bill pass?



The ayes and nays were taken and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Duncan, Fleming, Foulke, Graham, Hilligass, Hoover, Hutchison, Johnston, Johnson, Keiser, Lockridge, Lindley, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White and Yancey. Total, 35.

Those voting in the negative were :

Senators Davidson, Faulkner, Hill, Howard, Macartney and Youche. Total, 6.

So the bill passed.

The title was adopted as read.

The Lieutenant Governor announced that he had signed Enrolled Senate Act No. 283.

Senator Compton moved to take up House Bill No. 438, to suspend the constitutional rules, read the bill a first and second time by title, a third time by sections, and place it upon its passage.

The ayes and nays were taken, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Graham, Henry, Hill, Hilligass, Howard, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McIntosh, Oversteet, Rahm, Richardson, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White, Willard and Yancey. Total, 40.

No Senator voted in the negative.

So the constitutional rules were suspended.



The bill was read a first and second time by title, and a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bichowsky, Brown, Compton, Davidson, Duncan, Fleming, Foulke, Graham, Henry, Hilligass, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Richardson, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White and Willard. Total, 33.

Those voting in the negative were:

Senators Adkinson, Bundy, Faulkner, Hill, Hoover, Macartney, Yancey and Youche. Total, 8.

So the bill passed.

The title was adopted as read.

Senator Ernest, from the Committee on Enrolled Bills, on Senate Bill No. 78, reported as follows:

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Act No. 78 with Enrolled Senate Act No. 78, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

Senator Voyles arose to a question of privilege, and stated that the report of the Committee on Elections, on the Johnson vs. Overstreet contest, was made a special order for this hour, and asked that it be considered.

The President of the Senate ruled that it was not in order to consider it until the present special order is disposed of, it being Senate Bills Nos. 10 and 19, with report of the committee thereon.



Senator Spann, while discussing the question of the reports on these bills, yielded the floor to Senator Henry to make a report from a special committee.

Senator Henry, from Special Committee on Decedents' Estates Act, on House Bill No. 223, reported as follows:

MR. PRESIDENT:

Your special committee, to whom was referred House Bill No. 223, beg leave to return the same, with the recommendation that it be amended by striking out all after the enacting clause and inserting the following:

HENRY,  
For Committee.

A bill for an act to amend sections 5, 23, 47, 66, 86, 93, 95, 96, 97, 98, 100, 101, 102, 104, 115, 126, 151, 153, 157, 158, 159, 160, 164, 165, 168, 169, 176, 180, 183, 199, 207, 208, 215 and 241, of an act entitled "An act providing for the settlement of decedents' estates," approved April 14, 1881, and to repeal sections 4, 103, 106, 162 and 200 of said act, and declaring an emergency.

Strike out all after the enacting clause and insert the following:

That section 5 of the above entitled act be amended to read as follows:

SEC. 5. All proceedings touching the probate of wills and settlement of decedents' estates shall be recorded in separate books, kept for that purpose: *Provided*, That proceedings touching the guardianship of infants and insane persons may be recorded therein. The Clerk of each Circuit Court shall, also, keep in his office a book for the recording of wills and probate thereof; a book in which he shall record all letters testamentary and of administration within ten days after the same are issued; a book in which he shall record, within ten days after the same are filed, all bonds of executors and administrators; a book in which he shall record all inventories and sale bills of personal estate, within thirty days after the same are filed; a general entry, claim and allowance docket combined,



and a fee book. He shall, also, keep a final record book, in which he shall, upon the order of the Court, or request of a party interested, but not otherwise, enter complete record of any matter or proceedings in the administration of an estate, and the costs thereof, if ordered by the Court, shall be taxed as costs against the estate, or if such complete record be made at the request of a party in interest, then the costs thereof shall be paid by him and charged to the estate, and in advance if required by the Clerk.

SEC. 2. That section 23 of the above entitled act be amended so as to read as follows: Section 23. On a written application, verified by oath, of any person interested in the estate, or of any co-executor, co-administrator, or surety of such executor or administrator, specifying the grounds of complaint, any executor, administrator with the will annexed, or administrator, may be removed and his letters superceded by the Court in which such letters were issued, for the following cause:

First. When, from sickness, habitual drunkenness, imbecility, change of residence, actual or intended, or other cause, he is rendered incapable of discharging his trust to the interest of the estate.

Second. When he shall fail to make and return inventories and sale bills, or to render account of his administration according to law, or the order of the Court, or shall waste or fail to pay over, according to law, the money of said estate.

Third. When it shall be shown to the Court by his sureties that such executor or administrator has become, or is likely to become, insolvent, in consequence of which his sureties have suffered or will suffer loss.

Fourth. When any administratrix or executrix, at the time letters issued was unmarried, and shall afterward marry, and her husband shall fail to file his consent in open court, in writing, to her continuing as such.

Fifth. But whenever an executor or administrator shall be about removing from the county in which he resided at the time he became such executor or administrator, he shall, before leaving such county, make a true and final exhibit, under oath,



to the Circuit Court of the condition of the estate of which he is executor or administrator, at which time his letters of executorship or administration shall be revoked: *Provided*, That if any executor or administrator removes to another county in this State, his letters shall be revoked at the discretion of the Court.

Sixth. When he shall fail to give additional bond and sureties, as required by the Court, or the Court may, without such application for any such causes, in cases of emergency, remove such executor or administrator *instante*, without citation.

SEC. 3. That section 47 of said act be amended to read as follows: Section 47. The Clerk of the Circuit Court in vacation, or the Judge thereof to whom such inventory and appraisement are returned, shall immediately examine the same and indorse an approval thereon, if found correct and in proper form, and the Clerk shall file and record the same in the record kept for that purpose. If the same be found incorrect or informal, the defect shall be noted thereon, and the inventory and appraisement returned to the executor or administrator for correction, and the same, when corrected, shall be returned to the Clerk, and filed and recorded as aforesaid.

SEC. 4. That section 66 of said act be amended to read as follows: Section 66. An executor or administrator making a public sale of personal property, shall select a clerk to keep an account thereof, who shall not be related to him or interested in the estate. He shall be provided by the executor or administrator with a copy of the inventory of the property to be sold, and shall keep a minute of each article sold, the number thereof on the inventory, to whom and for how much sold, the amount of cash paid by each purchaser, and the names of sureties taken on notes. He shall, upon the completion of the sale, make out, on printed blanks prepared for that purpose, a sale bill thereof, which specify the time, place and terms of sale, the different articles sold, prices thereof, amount of cash paid and names of sureties; the articles shall be arranged in the sale bill in the same numerical order in which they appear on the inventory, and opposite each article on the margin shall be noted the number it bears on the inventory. If any of the articles named in the inventory and subject to sale remain un-



sold, the Clerk of the sale shall subjoin to the sale bill a list thereof, in the order in which they appear on the inventory, noting in the proper columns opposite each article the number and appraisement thereof as particularly set forth in such statement, and a reference given to where the lien, if of record, will be found. If such claim be filed after the expiration of one year from the giving of notice by the executor or administrator of his appointment, it shall be prosecuted solely at the cost of the claimant, and if not filed at least thirty days before final settlement of the estate, it shall be shown on the inventory. The sale bill and subjoined list shall be correctly added up and the footings noted on each. The Clerk of the sale shall therefore take and subscribe an oath to be indorsed upon or attached to the sale bill, that the sale bill and subjoined list, if any, contains a true and complete account of the sale of the personal property of the deceased by the executor or administrator, and of the articles remaining unsold as shown by the inventory. The sale bill and subjoined list shall be returned to the Clerk of the Court in which the estate is pending, whereupon like proceedings shall be had as upon the return of an inventory and appraisement.

SEC. 5. That section eighty-six (86) be amended to read as follows: Sec. 86. No action shall be brought by complaint and summons against the executor or administrator of an estate for the recovery of any claim against the decedent, but the holder thereof, whether such claim be due or not, shall file a succinct and definite statement thereof in the office of the Clerk of the Court in which the estate is pending. Any claim of the executor or administrator against the decedent shall be made out and filed in the office of the Clerk of the Court in which the estate is pending. If any claim against the decedent be founded upon any written instrument alleged to have been executed by him, the original, or a complete copy thereof, shall be filed with the statement. The statement shall set forth all credits and deductions to which the estate is entitled, and shall be accompanied by the affidavit of the claimant, his agent or attorney, that the claim, after deducting all credits, set-offs, and deductions to which the estate is entitled, is justly due, and



wholly unpaid; and no claim shall be received unless accompanied by such affidavit. If the claim be secured by a lien on any real or personal property, such lien shall be barred, except as hereinafter provided in case of liability of heirs, devisees and legatees.

SEC. 6. That section 93 of the above entitled act, be amended to read as follows: Section 93. The book required by this act to be kept by the clerk for general entry claim and allowance docket shall contain on each page a printed heading:

“No. —. Estate of —, — executor (or administrator).”

On the left hand page shall be kept the general entry docket, and on the corresponding right hand page the claim and allowance docket. As soon as letters testamentary, or of administration, shall be issued on an estate, the Clerk shall note the estate on the general entry docket, and note thereon the number of the estate, name of executor or administrator, his post office address, date of letters, penalty of bond, and sureties thereof. When an inventory or sale bill shall be filed, he shall note thereon the amount and date of filing. He shall, from time to time thereof, note thereon briefly the proceedings of the Court and date thereafter. Each estate set off to a widow without administration, and the number thereof, shall also be noted on said docket. Estates shall be numbered from one upward, consecutively, and shall retain the same number pending the settlement thereof. On the right hand page, opposite the general entry docket of an estate, shall be kept the claim and allowance docket of said estate. It shall be provided with columns and printed headings thereto for number of the claim, names of claimants, date of filing, date of allowance and amount thereof, and remarks. The claims, when filed, shall be by the Clerk numbered, from one upward, and bear the same number in all subsequent proceedings thereon. And for all services in filing and recording in such docket any claim, the Clerk shall be allowed ten cents, and no more.

SEC. 7. That section 95 of said act be amended to read as follows: Section 95. Whenever any claim against the estate of any decedent shall have been filed and placed upon the ap-



pearance docket of such court ten days before the first day of the ensuing term thereof, the executor or administrator of such estate shall audit or refuse to audit such claims in writing, on the margin of such appearance docket, opposite such claim. If such claim is not admitted before the last day of said term, the same shall be transferred to the issue docket of such court, and shall stand for trial at the next term thereof, as other civil actions pending thereon: *Provided*, That the court may, in its discretion, require further proof as to any claim, notwithstanding the executor or administrator may have admitted the claim in the manner provided in this act.

SEC. 8. That section 96 of said act be amended to read as follows: Section 96. The allowance of a claim, as provided for in this act, shall, as between the claimant and the executor or administrator, be operative as an adjudication of the validity and amount of the claim, and presumptive evidence thereof in any proceedings, by the executor or administrator, for the sale of the real estate of the decedent to discharge the liabilities of his estate.

SEC. 9. That section 97 of said act be amended to read as follows: Section 97. Whenever a claim in favor of an executor or administrator against the estate he represents, which occurred before the death of said decedent, shall be filed against said estate with the affidavit of the claimant attached thirty days before the commencement of the term of said Court, during which said claim is to be presented for allowance, the Judge of the said Court shall represent said estate and shall examine into the nature of said claim, and if the same be by said Court deemed just and right, said Court shall allow said claim and order the same paid out of said estate as other claims of the same class; and said Court may, in its discretion, examine, under oath, such executor or administrator or any other person touching such claim, and if such Court shall be of the opinion that the interests of said estate will be promoted by active opposition to such claim, it shall be the duty of said Court to appoint a practicing attorney of said Court to represent said estate, and the same pleadings, issues and trial may be had as in other claims; and such Court to allow such attorney to be paid out of said estate such fees for his services as may be deemed



by said Court just and right, and no attorney shall be allowed compensation for representing the estate of a decedent in defense of such a claim except when appointed in pursuance of this act.

SEC. 10. That section 98 of said act be amended to read as follows: Section 98. It shall be the duty of every executor and administrator to inquire into the correctness of all claims filed against the estate that he represents, and to make all available defenses thereto; and if he fails so to do he shall be liable on his bond at the suit of any person interested in the estate for all damages sustained by the estate in consequence of such neglect.

SEC. 11. That section 100 of said act be amended to read as follows: Section 100. When any claim is transferred for trial, it shall not be necessary for the executor or administrator to plead any matter by way of answer, except a set off or counter claim, to which the plaintiff shall reply. If the executor or administrator plead any other matter by way of defense, the claimant shall reply thereto. The sufficiency of the statement of the claim, or of any subsequent pleading, may be tested by demurrer; and if any objection be made that the assignor of a claim, not assigned by indorsement, is not a party to the action, leave shall be given the claimant to amend by making him a party to answer to his interest in the claim, and to sue out process against the assignor to answer in that behalf; and if it shall be shown to the Court that any person is bound with the decedent in any contract, which is the foundation of the claim, the Court shall direct that the claim be amended by making such person a defendant in the action, and process shall be issued against and served upon him, and thereafter the action shall be prosecuted against him as a co-defendant with such executor or administrator, and judgment shall be rendered accordingly.

SEC. 12. That section 101 be amended to read as follows: Section 101. That trial of such claims shall be conducted as in ordinary civil cases, and if the finding be for the claimant in damages, the court shall render judgment against the executor or administrator for the amount thereof and six per cent.



interest thereon and for costs, if allowed by the provisions of this act to be paid out of the assets of the estate to be administered. If the claim sued on be secured by a lien upon the property of the deceased, the date and extent shall be ascertained and fixed by the finding and judgment. If the finding be in favor of the executor or administrator upon a set off or counter claim, judgment shall be rendered thereon as in ordinary cases. If a set off or counter claim be pleaded and the claim be afterward dismissed, the executor or administrator may nevertheless proceed to trial and judgment on the set off or counter claim.

SEC. 13. That section 102 of said act be amended to read as follows: Section 102. In all cases when a claim is filed against the estate of a decedent and has been allowed by the executor or administrator any person interested in the estate, upon written petition to the court, shall be allowed at his expense to defend such claim notwithstanding such allowance, but such petition must be filed with the clerk of the proper court within sixty days after the claim has been, by such executor or administrator, indorsed allowed on the claim docket and before the final settlement of such estate. And such petition shall be accompanied by a bond with sufficient surety, payable to the executor or administrator, to be approved by the clerk, conditioned for the payment of the costs that shall be adjudged against him. If the amount of the claim be reduced ten per cent. on such trial, the court shall order the costs and all expenses incurred by such person in contesting said claim paid out of such estate, but in case of failure to so reduce it, such person contesting the claim shall pay all costs occasioned the estate thereby.

SEC. 14. That section 104 of said act be amended to read as follows: Section 104. No execution or other final process shall be issued on any allowance or judgment rendered upon a claim against a decedent's estate for the collection thereof out of the assets of the estate, but all such claims shall be paid by the executor or administrator in full, or *pro rata*, in due course of administration.

SEC. 15. That section 115 of the above entitled act be amended so as to read as follows: Section 115. Notice of the



time and place of hearing such petition shall be given by three successive publications in a weekly newspaper printed in the county, or, if there be none printed therein, in a newspaper nearest thereto in the State, thirty days before the hearing of such petition, and by posting up written or printed notices thereof in three public places in the township where such real estate is situated.

SEC. 16. That section 126 of said act be amended to read as follows: Section 126. The court ordering the sale shall specify the terms of sale, but no credit shall be directed to be given for a longer period than eighteen months, except that when the appraisement of the real estate is over \$5,000, a credit may be given for a period of not more than three years. If it appear to the court that a private sale of the real estate would be advantageous to the estate of the decedent, the court may so order, and shall in such case prescribe in the order the notice to be given of the sale: *Provided*, That if the appraised value of the real estate ordered to be sold shall not exceed \$1,000, the court may order such sale without giving notice thereof.

SEC. 17. That section 151 of the above entitled act be amended to read as follows: Sec. 151. No proceedings shall be instituted before the end of one year from the death of the decedent to enforce the lien of any judgment rendered against the decedent in his lifetime upon real estate, or any decree specially directing the sale of such real estate to discharge any lien or liability created or suffered by the decedent; nor shall any suit be brought before that time against the heirs or devisees of the deceased to foreclose any mortgage or other lien thereon, for the payment of which, his personal estate shall be liable; and in case of suit to foreclose any mortgage or other lien thereon, the executor or administrator shall be made a party defendant thereto, and if the executor or administrator shall be diligently prosecuting his proceedings to sell the real estate of the deceased for the purpose of making assets to discharge such liens, other proceedings for the sale thereof by the holders of liens thereon shall be stayed upon the application of the executor or administrator. This section shall not apply to cases when, before the end of the year, the real estate shall have been sold by the executor or administrator, subject to



liens thereon, nor to mortgages and judgments in favor of the State.

SEC. 18. That section 153 of said act be amended to read as follows: Sec. 153. Any persons entitled to any legacy, or to a distributive share of the estate of any deceased person, may at any time previous to the settlement of such estate apply to the court, either in person or by guardian, after giving reasonable notice to the executor or administrator to be allowed to receive a portion of such legacy or distributive share.

SEC. 19. That section 157 of said act be amended to read as follows: Sec. 157. At the end of one year from the issuing of letters and notice thereof, or so soon thereafter as the sale notes for personal property shall mature, the executor or administrator shall file in the Court issuing his letters a true and complete account of all the assets of the estate of the decedent which shall have come to his hands, and of all disbursements made by him, and all credits to which he may be entitled. In such account he shall charge himself with the amount of each inventory of personal and real estate filed by him, with each item of principal or interest, or both, collected by him, in addition to the amounts thereof as shown by the inventories and sale bills filed by him; with the profits realized on the sales of property; with the kind and value of all property of the decedent received by him and not inventoried; and with all income, rents and other increase of the estate received by and chargeable to him as such executor or administrator. He shall also exhibit in such account the total amount of moneys received by him, and the total amount thereof paid out on account of the estate, and the particulars and amount of each claim due or owing to the estate and remaining unpaid, and his claim for services, expenses and attorney's fees. Such account shall be accompanied by the affidavit of the executor or administrator, subscribed by him that the account is a true and complete exhibit of his administration of the estate, and upon the finding of the Court upon any report showing the receipts and expenditures by the executor or administrator, an appeal will lie to the Supreme Court as in final judgment.

SEC. 20. That section 158 of the above entitled act be amended to read as follows: Section 158. Upon the filing of



any of the accounts required by this act, and upon its appearing to the Court that the estate is clearly solvent, the Court shall order the distribution of the moneys so received among the creditors of the deceased, whose claims have been allowed according to the order of classes before set forth in this act: *Provided*, That the Court may, if the same be found necessary to protect the interest of the estate, or to secure to the widow of the decedent her interest in his real estate, order the payment out of such moneys of any specific lien upon the real estate of the decedent. The Court may order the moneys to be distributed by the executor or administrator, or may require the same to be paid into Court and distributed by the Clerk thereof.

SEC. 21. That section 159 of said act be amended to read as follows: Section 159. Nothing in the preceding section shall operate to prevent or delay the payment of any claim that shall have been allowed, if the estate be clearly solvent; but it shall in such case be the duty of the executor or administrator, as fast as moneys shall come into his hands, to pay off the claims that have been allowed, giving preference, if any exists at the time of payment, as prescribed in the section prescribing the order of payment in this act. If an executor or administrator fail or refuse to pay any claim when he has moneys in his hands applicable to that purpose, he shall be chargeable with the interest on such claim for such time as payment thereof shall have been wrongfully delayed, and shall also be liable in a suit on his bond for the amount of the claim and 10 per cent. damages thereon.

SEC. 22. That section 160 of said act be amended to read as follows: Section 160. It shall be the duty of the judge on the first day of each term of court to call the estates pending in the court for reports due from executors or administrators, as provided for in this act, and if any executor or administrator shall fail to file a report when due, such judge shall enter an order that a citation be issued for such executor or administrator requiring him to make and file such report, if the same is not filed within twenty days, and compel the making and filing of such report by attachment, and the executor or administrator shall be individually liable for all the cost occasioned



by such citation and attachment; said citation to be issued within ten days before the next term of court thereafter.

SEC. 23. That section 164 of said act be amended to read as follows: Section 164. Upon the filing of such account the clerk shall fix a day in term by indorsement on the account, not less than three weeks from the date of filing, when the account will be heard; and if the account is for final settlement, or if partial only, yet in the opinion of the executor or administrator is of sufficient importance to require final action thereon, said executor or administrator shall give notice to all persons interested in said estate to appear in court on such day and show cause why such account should not be approved; which notice shall be given by publication in some weekly newspaper of general circulation published in the county in which the administration is pending, and by posting at the court house door for two successive weeks. If the account is filed for final settlement, the notice shall also require the heirs of the decedents and all others interested to appear and make proof of their heirship or claim to any part of said estate: *Provided, however,* That when an account is filed and no notice of the hearing of the same is required, it shall not be necessary for the clerk to fix a day in the future for the hearing thereof, but the same may be acted on at any time by the courts.

SEC. 24. That section 165 of said act be amended to read as follows: Sec. 165. The court shall proceed, upon the day fixed, to hear said account. The executor or administrator shall attend the hearing and submit, if required, to an examination under oath, touching the account and expenses of administration. Any person interested in the distribution of the assets may appear and contest the correctness of the account, and witnesses may be compelled to attend and testify touching any matters material thereto. If the court find that the account is erroneous, it shall order an immediate amendment, or new account, as the case may require. If the same be found correct, the court shall approve the same, and fix the amount to be paid and allowed for expenses of administration to date.

SEC. 25. That section 163 of said act be amended to read as follows: Sec. 168. After the expiration of one year from giv-



ing notice of appointment, the court may at any time, in its discretion, order a further accounting by the executor or administrator, and if it appears to the court that the settlement of the estate is being unreasonably or unnecessarily delayed, the court may enter a pre-emptory order for the final settlement, and enforce compliance with the order by attachment of the person of the executor or administrator, and punishment for contempt: *Provided, however,* It shall be the duty of the executor or administrator to make final settlement of the estate at the expiration of six months from the date of his last report, unless otherwise ordered by the court for good cause shown.

SEC. 26. That section 169 of said act be amended to read as follows: Sec. 169. If an account be filed after the expiration of the year aforesaid, the day for hearing the same shall be fixed, and the same rules as to the giving notice of the hearing shall be followed as hereinbefore provided for notice of accounts filed at the end of the year.

SEC. 27. That section 176 of said act be amended to read as follows: Section 176. After the debts and legacies of an estate and expenses of administration have been paid, and all assets of the estate duly accounted for, and all claims in favor of the estate disposed of according to law, the executor or administrator shall pay into Court the moneys, if any, remaining in his hands, or distribute the same under the order of the Court to the persons entitled thereto, and be discharged from the further administration of the estate, and the estate shall be by the Court declared finally settled; and no final settlement shall be revoked or reopened after the close of the time at which the same shall have been made, except as provided for in the next section.

SEC. 28. That section 180 of the above act be amended to read as follows: Section 180. When a final settlement of accounts shall have been filed and notice given to the heirs, devisees and legatees to prove their claims to the surplus, as hereinbefore provided, they shall appear before the Court in person or by attorney, and in the case of infants and persons of unsound mind, by their guardians, and make proof of their heirship or other title to such surplus.



SEC. 29. That section 183 of said act be amended to read as follows: - Section 183. The court, upon the hearing of the proof, shall order the distribution by the clerk, executor, or administrator, among the parties applying and proving their titles to their respective shares in such surplus. And if any surplus remains undistributed, it shall be paid into and retained in court until such persons as shall not have appeared and proved their interest in such surplus shall appear as aforesaid and make such proof, when further distribution shall be ordered by the court. If it shall appear to the court that any person claiming an interest in such surplus is an infant, or of unsound mind, and has no guardian, the court may appoint a guardian *ad litem* to appear for such person and protect his interests in the distribution of such surplus.

SEC. 30. That section 199 of said act be amended to read as follows: Section 199. If, upon the filing of said petition, it shall appear to the court or judge thereof in vacation that the estate is probably insolvent, an order shall be made by the court or judge directing the estate to be settled as insolvent; and that notice of such insolvency be given to creditors, requiring them to file their claims for allowance. Such notice shall be given by publication for two successive weeks in some public weekly newspaper published in the county in which the estate is pending for settlement, and by posting like notices in three public places in such county, and one at the Court House door. After such publication and notice, the executor or administrator shall show to the court that such publication and notice have been made and given as required by this section.

SEC. 31. That section 207 of said act be amended to read as follows: Section 207. At the end of such year the executor or administrator of the estate shall file in court a complete account of all the assets received and payments made on account of the estate, as hereinbefore required as in case of a solvent estate, the amount of money on hand and the claims due the estate, if any, remaining uncollected, and the court shall proceed to hear and determine the same as in case of an account for partial settlements in a solvent estate.

SEC. 32. That section 208 of said act be amended to read as follows: Section 208. If, upon the hearing of such account,



it appear to the court that all the estate liable to be made assets shall have been converted into money, and there be no claims pending against it unallowed, the court shall order the money applied to the expenses of administration, and distributed among the claimants whose claims have been allowed in the order hereinbefore provided, *pro rata*, among the claimants in each class, subject to the provisions of the next section.

SEC. 33. That section 215 of said act be amended as follows:  
 SEC. 215. Upon the filing of an account for final settlement, the creditors of the estate shall be notified of the filing and time of hearing of the final settlement account in the manner hereinbefore provided in case of solvent estates.

SEC. 34. That section 241 of said act be amended to read as follows: SEC. 241. The clerk of each circuit court shall, under the supervision and direction of the court and at the expense of the county, procure and keep in his office a general entry, claim and allowance docket, with printed headings, as provided in this act.

SEC. 34. *And be it further enacted*, That sections four (4), one hundred and three (103), one hundred and six (106), one hundred and sixty-two (162), and two hundred (200) of the above entitled act be and the same are hereby repealed.

SEC. 35. Whereas, an emergency exists for the immediate taking effect of this act, therefore, the same shall take effect from and after its passage.

Senator Henry moved that the constitutional rule be suspended, that House Bill No. 223 be read a first and second time by title, a third time by sections, and placed upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, Mc-



Clure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Spann, Van Vorhis, Voyles, White, Yancey and Youche. Total, 45.

No one voting in the negative.

So the constitutional rule was suspended.

The bill was read a first and second time by title, with the report of the committee thereon.

The report of the committee was concurred in.

The bill was read a third time by sections.

The question being, Shall the bill pass?

Senator McCulloch moved to suspend the further consideration of this bill, and that all other special orders be suspended, that House Bill No. 133 be taken up, read a third time, and placed upon its passage, and demanded the previous question.

Senator Spann raised the point of order that he had the floor, had not yielded except for the purpose of having this bill considered, and that the motion was not in order.

The Chair held that nothing could be considered except the matter for which Senator Spann yielded the floor, and that the motion of Senator McCulloch was out of order.

Senator McCulloch offered an appeal from the decision of the Chair.

Which appeal the Chair refused to entertain, and refused to put the appeal.

Senator Bell gave notice that he would file a protest.

The President of the Senate *pro tem.* ordered the Secretary to call the roll on the passage of House Bill No. 223.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser,



Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 49.

No one voting in the negative.

So the bill passed.

Senator Henry offered the following, as title to the bill:

A bill for an act to amend sections 5, 23, 47, 66, 86, 93, 95, 96, 97, 98, 100, 101, 102, 104, 115, 126, 151, 153, 157, 158, 159, 160, 164, 165, 168, 169, 176, 180, 183, 199, 207, 208, 215, 241, of an act entitled "An act providing for the settlement of decedents' estates," approved April 14, 1881, and to repeal sections 4, 103, 106, 162 and 200, of said act, and declaring an emergency.

The title was adopted as read.

On motion of Senator Benz, the Senate took a recess until 7:30 P. M.

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## EVENING SESSION.

FEBRUARY 27, 1883.

The Senate met at 7:30 P. M., Lieutenant Governor Hanna in the Chair.

The question being, Shall the Senate concur in the report of the committee on Senate Bill No. 10 and Senate Bill No. 19?

Pending the discussion of which, Senator Benz moved that the Senate adjourn.

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Over-



street, Ristine, Sayre, Spann, Van Vorhis, White, Yancey and Youche. Total, 19.

Those voting in the negative were:

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 27.

So the motion was rejected.

Senator Henry moved that when the Senate adjourn, it be to meet at 10 o'clock to-morrow.

It was so ordered.

Senator Henry moved that House Bill No. 133 be made the special order for to-morrow from 10 o'clock A. M. until 4 o'clock P. M., and at said hour of 4 o'clock P. M. to-morrow a vote be taken on the final passage of the bill.

The motion was adopted, and it was so ordered.

Senator Smith, of Jay, withdrew his motion to amend the rules.

On motion, the Senate adjourned.

THOMAS HANNA,

President of the Senate.



## WEDNESDAY MORNING.

FEBRUARY 28, 1883.

Senate met at 10 o'clock, Lieutenant Governor Hanna in the Chair.

On motion of Senator Voyles the reading of the Journal was dispensed with.

Senator Ernest, from Committee on Enrolled Bills, reported as follows:

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Joint Resolution No. 1.

JOSHUA ERNEST,  
Chairman.

February 27, 1883.

Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, enrolled Senate Act No. 283.

JOSHUA ERNEST,  
Chairman.

February 27, 1883.

Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, enrolled Senate Act No. 52.

JOSHUA ERNEST,  
Chairman.

February 27, 1883.

Also,



**MR. PRESIDENT:**

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, enrolled Senate Act No. 78.

JOSHUA ERNEST,  
Chairman.

February 27, 1883.

Also,

**MR. PRESIDENT:**

The Committee on Enrolled Bills have compared engrossed Senate Bill No. 203 with enrolled Senate Act No. 203, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

Also,

**MR. PRESIDENT:**

The Committee on Enrolled Bills have compared engrossed Senate Bill No. 173 with enrolled Senate Act No. 173, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

Senator Benz was given consent to call up Senate Bill No. 200, on the subject of gravel roads, which was read a third time.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Hutchinson, Johnson, Keiser, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Yancey and Youche. Total, 89.

No Senator voted in the negative.

So the bill passed.

The title was adopted as read.



The following message was received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House of Representatives to inform the Senate that the Speaker has signed Enrolled Act No. 438 of the House of Representatives.

S. W. EDWINS,  
Principal Clerk.

Senator Bundy moved that the order of business be suspended to introduce a bill.

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Ernest, Fleming, Fletcher, Foulke, Hill, Hoover, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, May, McClure, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Willard and Youche. Total, 31.

Those voting in the negative were:

Senators Davidson, Faulkner, Henry, Hilligass, Hutchinson, Johnston, Magee and Yancey. Total, 7.

So the motion was adopted.

Senator Bundy introduced Senate Bill No. 290.

A bill for an act appropriating \$200 in payment of William H. Schlater.

Which was read a first time.

Senator Bundy moved to suspend the constitutional rule, to read the bill a second time by title, a third time by sections, and place it upon its passage.



The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Compton, Davidson, Fleming, Fletcher, Foulke, Graham, Henry, Hoover, Lockridge, Lindley, Macartney, Magee, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, Willard and Youche. Total, 27.

Those voting in the negative were:

Senators Duncan, Ernest, Faulkner, Hill, Hutchinson, Johnston, Johnson, Marvin, May, McClure, McIntosh, Rahm, Richardson and Yancey. Total, 14.

So the motion failed.

The following message was received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that the Speaker of the House has signed the following enrolled acts:

Enrolled Senate Act No. 173.

Enrolled Senate Act No. 203.

S. W. EDWINS,  
Principal Clerk.

Senator Magee moved to suspend the constitutional rule, to read Senate Bill No. 149 a second time by title, a third time by sections, and place it upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lindley, Macartney, Magee, May, McClure,



McCulloch, McIntosh, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Yancey and Youche. Total, 39.

No Senator voted in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title, with the report of the committee thereon.

The report of the committee was concurred in.

The bill was read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Brown, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Graham, Henry, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, Willard, Yancey and Youche. Total, 40.

No Senator voted in the negative.

So the bill passed.

The Chair announced that he had signed enrolled acts as follows:

Enrolled Act of the Senate No. 203.

Enrolled Act of the Senate No. 173.

Enrolled Act of the House No. 438.

Senator Faulkner presented a petition, signed by thirty-seven voters of Johnson township, Ripley county, on the subject of temperance.

Which was referred to the Committee on Temperance, without reading.



Senator McIntosh moved to take up House Bill No. 61, to suspend the constitutional rule, to read the bill a first and second time by title, and third time by sections, and place it upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Brown, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Foulke, Graham, Henry, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 89.

No Senators voting in the negative.

So the constitutional rule was suspended.

The bill was read first and second time by title, a third time by sections, and the question being, Shall the bill pass?

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Graham, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Lockridge, Lindley, McCartney, Magee, Marvin, May, McClure, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 89.

No Senator voting in the negative.

So the bill passed.

The title of the bill was adopted as read.



Senator Ristine moved to take up Senate Bill No. 260, to suspend the constitutional rule, to read the bill a first and second time by title, to read the bill a third time by sections and place it upon its passage.

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Graham, Hostetter, Hutchinson, Johnston, Johnson, Lockridge, Lindley, Macartney, Marvin, May, McClure, McIntosh, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, Willard, Yancey and Youche. Total, 36.

No Senator voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title, with report of the committee thereon.

Which report was concurred in.

The bill was read a third time by sections.

And the question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Graham, Hill, Hilligass, Hutchinson, Johnston, Johnson, Lockride, Lindley, Macartney, Marvin, May, McClure, McIntosh, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 38.

No Senator voting in the negative.

So the bill passed.

The title was adopted as read.



Senator Hutchinson offered the following concurrent resolution, a concurrent resolution of the two Houses of the General Assembly concerning outside convict labor:

*Be it resolved by the Senate, the House concurring, That the Directors of the State Prisons are hereby ordered not to permit, on any contract, the convicts of either of said prisons to work outside of the walls and inclosures of said prisons, and that a copy of this resolution be forwarded by the Secretary of State, duly certified, to each of said Directors.*

HUTCHINSON.

On motion, the resolution was adopted.

Senator Sayre moved to take up Senate Bill No. 229, suspend the constitutional rule, read the bill a second time by title, order the bill considered engrossed, read a third time by sections, and place it upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bundy, Campbell, Compton, Davidson, Duncan, Faulkner, Fleming, Fletcher, Foulke, Hill, Hilligass, Hoover, Johnston, Johnson, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McIntosh, Overstreet, Rahm, Richardson, Sayre, Smith of Delaware, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 36.

No Senator voted in the negative.

The constitutional rule was suspended.

The bill was read a second time by title, with the report of the committee thereon.

Which was concurred in.

The bill was ordered considered engrossed and read a third time by sections.

The question being, Shall the bill pass?



The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bundy, Campbell, Compton, Davidson, Duncan, Fleming, Fletcher, Foulke, Graham, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lindley, Macartney, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Van Vorhis, Voyles, White, Yancey and Youche. Total, 37.

No Senator voting in the negative.

The bill passed.

The title was adopted as read.

Senator Brown offered the following resolution:

WHEREAS, By misapprehension, mistake, or otherwise, the salary of B. W. Hanna as Attorney General of Indiana has never been fully settled,

*Resolved*, That the matter be referred to the Committee on Finance for investigation, and report to this body.

Which was referred to the Committee on Finance.

Senator Compton called up Senate Bill No. 45.

Which was read a third time.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Faulkner, Fleming, Fletcher, Henry, Hill, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure,



McCulloch, McIntosh, Overstreet, Richardson, Ristine, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 38.

No Senator voted in the negative.

So the bill passed.

The title was adopted as read.

Senator Adkinson called up Senate Bill No. 278, and moved that the constitutional rules be suspended, the bill read a second time by title, with the report of the committee thereon, ordered considered engrossed, read a third time by sections, and placed upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bundy, Campbell, Compton, Davidson, Duncan, Faulkner, Fleming, Fletcher, Foulke, Henry, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, McClure, McCulloch, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 40.

No Senator voted in the negative.

So the constitutional rules were suspended.

The bill was read a second time by title, with the report of the committee thereon.

The report of the committee was concurred in.

The bill was ordered considered engrossed, and read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Brown, Campbell, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Henry,



Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 41.

No Senator voted in the negative.

So the bill passed.

The title was adopted as read.

Senator Voyles made the following report on House Bill No. 381 :

MR. PRESIDENT :

Your special committee appointed to consider engrossed House Bill No. 381, having considered the same, return the bill to the Senate and recommend that the bill be amended as follows :

Strike out "second" in line 9, of section 1, and insert "third." Also, strike out "second" in line 10 of section 1, and insert "third," and strike out "second" in line 11 of section 1, and insert "third," Strike out the word "third," in line 16 of section 1, and insert "fourth," and strike out "third" in line 18 of section 1, and insert "fourth," and add at the close of section 1 as follows, to-wit :

The first court to be held under this act shall be the April Term in 1883, of the Jackson Circuit Court, and when the bill is so amended it should pass.

BROWN & VOYLES.

Senator Voyles moved to take up the bill, to suspend the constitutional rule, to read the bill a second time by title, a third time by sections, and place it upon its passage.

The ayes and nays were taken, and resulted as follows :

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Ernest, Faulkner, Fleming, Fletcher, Henry, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson,



Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Willard and Yancey. Total, 38.

No Senator voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title.

The report of the committee was concurred in.

The committee amendments considered engrossed.

The bill was read a third time and placed upon its passage.

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Henry, Hill, Hilligass, Hoover, Hutchinson, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, Overstreet, Richardson, Ristine, Smith of Delaware, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 38.

No Senator voting in the negative.

So the bill passed.

Senator Van Vorhis moved to suspend the constitutional rule, to take up Senate Bill No. 250, and read the bill a third time, and place it upon its passage.

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Ernest, Faulkner, Fleming, Fletcher, Graham, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnson, Keiser, Lockridge, Lindley, Mcartney, Magee, Marvin,



May, McClure, Overstreet, Rahm, Ristine, Sayre, Smith of Delaware, Van Vorhis, White, Willard and Yancey. Total, 36.

Senator McIntosh voted in the negative.

So the constitutional rule was suspended.

The bill was read a third time, and the question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Fleming, Fletcher, Foulke, Graham, Henry, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, May, Marvin, McClure, McIntosh, Overstreet, Rahm, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Willard and Yancey. Total, 36.

Those voting in the negative were:

Senators Faulkner and Youche. Total, 2.

So the bill passed.

The title was adopted as read.

Senator Willard called up Senate Bill No. 189, and moved that the constitutional rules be suspended and the bill read a second time by title, and be ordered considered engrossed, be read a third time by sections and placed upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Ernest, Faulkner, Fleming, Fletcher, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm,



Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Willard and Yancey. Total, 42.

No Senator voting in the negative.

The constitutional rules were suspended.

The bill was read a second time by title with the report of the committee thereon.

Which report was concurred in.

The bill was ordered considered engrossed and read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Davidson, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Hill, Hilligass, Hoover, Howard, Johnston, Johnson, Keiser, Lockridge, Macartney, Magee, Marvin, McClure, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White, Willard and Yancey. Total, 39.

Those voting in the negative were:

Senators Henry and Youche. Total, 2.

The bill passed.

The title was adopted as read.

Senator Macartney called up House Bill No. 30, and moved to suspend the constitutional rule, the bill be read a first time and second time by title, a third time by sections, and be placed upon its passage.

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bundy, Campbell, Compton, Davidson, Ernest, Fleming, Foulke, Graham, Henry, Hill, Hil-



ligass, Hoover, Howard, Johnson, Keiser, Lockridge, Macartney, Magee, Marvin, May, McClure, Overstreet, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Voyles, White, Willard, Yancey and Youche. Total, 35.

Senator McCulloch voted in the negative.

So the constitutional rule was suspended.

The bill was read a first and second time by title, a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Campbell, Compton, Davidson, Ernest, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Howard, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, Overstreet, Rahm, Richardson, Sayre, Smith of Delaware, Smith of Jay, Spann, White, Willard, Yancey and Youche. Total, 38.

No Senator voted in the negative.

So the bill passed.

The title was adopted as read.

Senator Fletcher moved to take up House Bill No. 346, to suspend the constitutional rule, to read the bill a first and second time by title, a third time by sections, and place it upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Davidson, Ernest, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Howard, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May,



McClure, McCulloch, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Voyles, White, Willard, Yancey and Youche. Total, 40.

No Senator voted in the negative.

So the constitutional rule was suspended.

The bill was read a first and second time by title, a third time by sections.

And the question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Howard, Johnston, Johnson, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Richardson, Ristine, Spann, White, Willard, Yancey and Youche. Total, 36.

No Senator voting in the negative.

So the bill passed.

The title was adopted as read.

Senator Magee moved that when the Senate adjourn, it be to 2:30 P. M.

It was so ordered.

On motion the Senate adjourned.



## AFTERNOON SESSION.

FEBRUARY 28, 1883.

The Senate met at 2:30 o'clock, Lieutenant Governor Hanna in the Chair.

Senator Compton, from the Committee on Railroads, on Senate Bill No. 133, reported as follows:

MR. PRESIDENT:

Your Committee on Railroads, to whom was referred Senate Bill No. 133, having duly considered the same, a majority of the committee authorize me to report said bill back to the Senate with a recommendation that it lie on the table.

Respectfully submitted,

JASON B. BROWN,  
Chairman.

Senator Spann, from the same committee, on same bill, reported the following:

MR. PRESIDENT:

Your Committee on Railroads, to whom was referred Senate Bill No. 133, having duly considered the same, the minority of the committee beg leave to report said bill back to the Senate, with a recommendation that it should pass.

Respectfully, SPANN.

Senator Lockridge called up House Bill No. 462, and moved that the constitutional rule be suspended, the bill be read a first and second time by title, read a third time by sections, and place it upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Benz, Bichowsky, Campbell, Compton, Davidson, Ernest, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilli-



gass, Johnston, Keiser, Lockridge, Macartney, Magee, Marvin, McClure, Overstreet, Rahm, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White and Yancey. Total, 30.

Those voting in the negative were:

Senators Adkinson, Duncan, Faulkner, Johnson, May, McIntosh and Willard. Total, 7.

So the motion was lost.

Senator White called up House Bill 407, moved that the constitutional rule be suspended, that the bill be read a first and second time by title, read a third time by sections, and placed upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Johnson, Keiser, Lockridge, Lindley, Macartney, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rham, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 39.

Senator Faulkner voted in the negative.

So the constitutional rule was suspended.

The bill was read a first and second time by title, a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Johnston, Johnson, Keiser, Lockridge, Lindley, Ma-



cartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Yancey and Youche. Total, 43.

- Senator Willard voting in the negative.

So the bill passed.

The title was adopted as read.

Senator Duncan moved to take up House Bill No. 308, to suspend the constitutional rule, that the bill be read a first and second time by title, read a third time by sections, and be placed upon its passage.

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators, Adkinson, Bell, Benz, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Ristine, Sayre, Smith of Delaware, Spann, Voyles, White, Willard, Yancey and Youche. Total, 41.

No Senator voted in the negative.

So the constitutional rule was suspended.

The bill was read a first and second time by title, a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Brown, Bundy, Campbell, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm,



Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 42.

No Senator voted in the negative.

So the bill passed.

The title was adopted as read.

The special order was called for, being House Bill No. 133, and which was taken up and read a third time.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Rahm, Richardson, Smith of Jay, Voyles, Willard and Youche. Total, 27.

Those voting in the negative were:

Senators Adkinson, Benz, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White and Yancey. Total, 21.

So the bill passed.

The title was adopted as read.

Senator Youche offered the following motion:

I move to reconsider the vote by which House Bill No. 133 passed the Senate.

YOCHE.

Senator Willard moved to reconsider the vote by which the bill passed, and to lay that motion on the table.

The motion was held out of order by the Chair.



Senator Willard offered the following appeal from the decision of the Chair, which appeal the Chair refused to entertain and put, to-wit:

We appeal from the decision of the Chair in refusing to entertain the motion of the Senator from Lawrence to move to reconsider the vote by which the "Metropolitan Police Bill," House Bill No. 133, passed the Senate, and lay that motion on the table.

J. H. WILLARD,  
H. J. MAY.

The following messages were received from the House at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 170, and amendments thereto, fixing the times of holding court in the Twenty-second Judicial Circuit.

Also, Engrossed Senate Bill No. 196, providing for the election of Judges and Prosecuting Attorneys in certain cases.

Also, Senate Bill No. 167, defining the Twentieth Judicial Circuit, etc.

Also, Engrossed Senate Bill No. 244, to legalize certain records in the office of County Recorders.

Also, Engrossed House Joint Resolution No. 2, agreeing to House Joint Resolution No. 8, of the Fifty-second General Assembly, proposing an amendment to the Constitution.

Also, agreeing to and adopting an amendment to the Constitution in relation to the election of Clerk of the Circuit Court and other officers.

Also, Engrossed House Bill No. 161, amending sections 222 and 227 of an act entitled "An act concerning taxation."

And the same are all herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk of the House of Representatives.



The following messages were received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that the Speaker of the House of Representatives has signed the following House Enrolled Acts:

Act No. 103.

Act No. 346.

Act No. 29.

Act No. 117.

S. W. EDWINS,  
Principal Clerk.

MR. PRESIDENT:

I am directed by the Speaker of the House of Representatives to inform the Senate that the Speaker of the House has signed House Enrolled Act No. 133.

S. W. EDWINS,  
Clerk of the House.

The following message was received from the House at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives has passed Engrossed Senate Bill No. 87, providing for the location and erection of additional hospitals for the insane, and providing for the management thereof, and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

The President announced that he had signed Enrolled Act of the House of Representatives No. 346.



The following message was received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives has passed Engrossed House Bill No. 55, to prevent the sale of impure butter, and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

The following message was received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives has passed Engrossed House Bill No. 85, to legalize the plats of towns, etc.

Also, House Engrossed Bill No. 81, to protect the elections of voluntary political associations, and the same are herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed House Engrossed Bill No. 88, requiring joint stock associations, organized under the laws of any other State, to pay a tax on the gross receipts.

Also, House Bill No. 89, in relation to amending proceedings in civil cases, and the same are herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.



The following message was received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House has passed Engrossed House Bill No. 94, for an act providing for the sale of lands purchased by the State at judicial and other sales.

Also, Engrossed House Bill No. 95, for an act concerning taxation, and declaring an emergency.

Also, Engrossed House Bill No. 96, for an act to amend section 4 of an act entitled "An act regulating the presentation of claims against counties in the State of Indiana," etc.

And the same are herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives has passed House Engrossed Bill No. 105, in regard to changes of venue in actions in the Circuit Court, and the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.

Pending the discussion of the question, it being the reconsideration of the vote by which the Senate passed House Bill No. 133, Senator Spann being in the Chair.

Senator Hilligass raised the point of order; that the President of the Senate was not in his official position, and consequently the Senate was without a President, and moved that Senator Willard be elected President of the Senate *pro tem*.

The question being put by Senator Hilligass.

It was so ordered.

The President of the Senate arriving in the chamber at this eventful moment took the Chair, and, by order of the Senate,



the galleries and lobbies of the Senate chamber were cleared with the exception of the ladies, the representative of the press and members and officers of the House of Representatives, when the Senate resumed consideration of the question under discussion.

Senator Magee arose to a question of privilege, proposing a Conference Committee to devise a way to get out of the difficulty on the Metropolitan Police Bill.

Senator McCulloch said:

Mr. President, I object to any proposition of compromise. There is no difficulty to compromise. There is nothing obstructing the business of the Senate except the miserable pigmy that by accident occupies and disgraces the Chair of this Senate. It is on his part a high-handed outrage; an utter disregard of the constitution and his oath of office. I shall enter into no agreement that will in any way tend to condone his offense. In any man of ordinary mental capacity it would be a crime that would merit nothing but detestation and execration. It is less a crime in the President of this Senate only in proportion as he is less than ordinary men. He occupies this Chair by accident. He obtained his nomination because he bore the name of another man whom the convention regarded as competent to fill the office. The convention was largely deceived, and, to my own knowledge, many of its members were mortified and disgraced when they learned the character and capacity of the man whom they had nominated. I make these remarks in answer to the repeated statement of the Chair that he was elected in the same manner as Senators upon the floor, and thereby tenders an insult to every Senator who did not get his nomination by a sort of false pretense.

The President of the Senate directed the Secretary to take down the remarks of Senator McCulloch.

Senator Magee moved that the motion of Senator Youche, to reconsider the vote by which the Senate passed House Bill No. 133, be laid on the table.



The ayes and nays were demanded and taken, and resulted as follows :

Those voting in the affirmative were:

Senators Bell, Brown, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Johnson, Magee, Marvin, May, McClure, McIntosh, Smith of Jay, Voyles and Willard. Total, 19.

Those voting in the negative were :

Senators Benz, Bichowsky, Bundy, Campbell, Fleming, Graham, Lockridge, Sayre, Spann, Van Vorhis, White, Yancey and Youche. Total, 13.

So the motion to lay on the table prevailed.

Senators Henry, Johnston, Ristine, Macartney and McCulloch stated that they were paired, and declined to vote.

Senator Voyles offered the following resolution, which was read for information, to-wit :

MR. PRESIDENT :

WHEREAS, Enrolled Act No. 133, originating in the House of this General Assembly, and the same has been signed by the Speaker of the House of Representatives, and said enrolled act is now in the possession of Thomas Hanna, Lieutenant Governor, and presiding officer of this Senate, and he has not yet signed said act, and refuses to sign said act; be it, therefore,

*Resolved*, That said Thomas Hanna, as such presiding officer, be and he is now, here, by the Senate required to sign said act at once, and announce the fact in open Senate.

VOYLES.

Senator Spann moved that the Senate adjourn.

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Benz, Bundy, Campbell, Fleming, Graham, Henry, Lockridge, Sayre, Spann, Van Vorhis, White, Yancey and Youche. Total, 12.



Those voting in the negative were:

Senators Bell, Brown, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Johnson, Magee, Marvin, May, McClure, McIntosh, Richardson, Smith of Jay, Voyles and Willard. Total, 20.

Senators Henry, Johnston, Ristine, Macartney and McCulloch stated they were paired, and declined to vote.

The President of the Senate directed the Secretary to notify the House that the Senate had passed House Bill No. 133.

Senator Voyles offered the following protest:

The Senator from Washington (Senator Voyles) obtained recognition upon the floor, and offered the following resolution, to-wit:

MR. PRESIDENT:

WHEREAS, Enrolled Act No. 133, originating in the House, has been passed by both Houses of this General Assembly, and the same has been signed by the Speaker of the House of Representatives, and said Enrolled Act is now in possession of Thomas Hanna, Lieutenant Governor and presiding officer of this Senate, and he has not yet signed said act, and refuses to sign said act; be it, therefore,

*Resolved*, That said Thomas H. Hanna, as such presiding officer be, and he is now here, by the Senate, required to sign said act at once, and announce the fact in open Senate.

VOYLES.

And moved the adoption of the same; and thereupon, for the first time, the presiding officer, the Lieutenant Governor, refused to put said motion, and refused to entertain said resolution, and thereupon the undersigned Senators offered and asked to take an appeal from said decision, and said presiding officer refused to entertain such appeal; and the undersigned Senators now hereby most emphatically, but respectfully, protest against the said decision of said presiding officer, and demand that this protest be entered upon the journals for the information of the courts and future action thereon.

L. B. VOYLES,  
FRED. HOOVER.



The President of the Senate requested the Secretary to have the Journal state that the protest of Senator Voyles does not state the facts, as the President of the Senate understands them.

The Lieutenant Governor said:

The Chair desires to state before this goes on the record, and wants this statement to go on the record with it [the Secretary will please take it down and put it in the minutes], that the protest just presented by the Senator from Washington (Mr. Voyles) does not state the facts as the Chair understands them, which are these—

The Senator from Washington rose in his place and asked the privilege of introducing a resolution.

Several Senators objected.

The resolution was then read for the information of the Senate.

Objection was still made to the intervention of the resolution. The Chair held it would require a suspension of the order of business before the resolution could be introduced. Thereupon the Senator from Allen and Whitley [Mr. Bell] appealed from the decision of the Chair. I never saw anything in writing stating that the Senator desired to appeal. Under the rules of the Senate appeals are required to be in writing and signed by two Senators. The rules of the Senate were not complied with. In addition to that, I think the appeal ought not to lie; that the appeal ought not to be entertained, for the reason that, if Senators are allowed to present such appeals they might occupy the whole time of the Senate in making appeals and having them spread on the records.

There are certain rules and regulations which govern the Senate, and which govern appeals, and the Chair has always, at all times, tried to carry them out to best of the Chair's understanding. There are precedents made by former Presidents of the Senate, where appeals were refused on grave and important questions; and it does seem to me that the Chair ought to have



the right in frivolous matters like this—or where it appears to be frivolous to the Chair—to decide them out of order, and not entertain them.

With this statement, let the protest of the Senator from Washington be entered on the record.

Senator Brown moved that when the Senate adjourn it be to 10 o'clock A. M.

It was so ordered.

On motion of Senator Brown the Senate adjourned.

THOMAS HANNA,  
President of the Senate.



## THURSDAY MORNING.

MARCH 1, 1888.

The Senate met at 10 o'clock, Lieutenant Governor Hanna in the Chair.

The Journal was read.

The Chair stated that the Journal was incorrect in several particulars, and asked that it be corrected.

Senator Bundy moved that the Journal be corrected in accordance with the statement of the Chair.

Senator Voyles moved to lay the motion on the table.

Senator Bundy asked and was given leave to put his motion in writing.

Senator Ristine called up Senate Bill No. 170, and moved that the Senate concur in the House amendments thereto.

The amendments were concurred in.

## ENGROSSED HOUSE AMENDMENTS TO SENATE BILL NO. 170, FEB. 27.

Amend said bill as follows:

Strike out of section 1 after the word "*Provided*," in line 23 of said section 1, and insert in lieu thereof the following:

"That the first term of court which shall be held under this act, shall be held in the county of Montgomery commencing on Monday, the fifth day of March, 1883, and shall continue six weeks, if the business of said court shall require it: *And, provided further*, That the term of court in session in the county of Montgomery, at the taking effect of this act, shall continue until the fifth day of March, 1883."



Senator Ernest, from the Committee on Enrolled Bills, made the following reports:

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Act No. 203.

JOSHUA ERNEST,  
Chairman.

February 28, 1883.

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Act No. 173.

JOSHUA ERNEST,  
Chairman.

February 28, 1883.

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 6 with Enrolled Senate Act No. 6, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

The following message was received from the House, at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am again instructed by the Speaker of the House of Representatives to inform the Senate that the Speaker has signed House Enrolled Act No. 133.

S. W. EDWINS,  
Principal Clerk.

Senator Campbell moved to suspend the order of business, and take up Senate Bill No. 247.

Senator Brown moved to lay the motion on the table.



The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Davidson, Ernest, Marvin, McClure, Overstreet, Smith of Jay. Total, 8.

Those voting in the negative were:

Senators Adkinson, Bell, Bundy, Campbell, Compton, Duncan, Fleming, Fletcher, Foulke, Henry, Hill, Hilligass, Hoover, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, May, McCulloch, McIntosh, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 33.

So the motion was lost.

The question being on the motion of Senator Campbell.

It was adopted.

And Senate Bill No. 247 was taken up and read a third time.

The question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Johnson, Keiser, Lockridge, Lindley, Macartney, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Voyles, White, Willard, Yancey and Youche. Total, 37.

Those voting in the negative were:

Senators Benz, Johnston, Marvin, and Smith of Jay. Total, 4.

So the bill passed.

The title was adopted as read.



The following message was received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives has reconsidered the vote by which the report of the Conference Committee, agreeing to certain amendments to House Bill No. 302 was adopted, and that the House has laid said report upon the table, which information is referred to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am directed by the Speaker to inform the Senate that the Speaker of the House of Representatives has signed House Enrolled Act No. 103. Also, Senate Enrolled Act No 6.

S. W. EDWINS,  
Principal Clerk.

The President submitted the following:

HEADQUARTERS SAMUEL REID POST No. 87,  
DEPARTMENT OF INDIANA, G. A. R., }  
FEBRUARY 27, 1883. }

*To the President and Members of the Indiana State Senate:*

At a special meeting of the above named Post, the following resolution was unanimously adopted, and I was instructed to forward the same to your honorable body:

*Resolved*, That Samuel Reid Post No. 87, G. A. R., Salem Indiana, earnestly appeals to our Legislature, now in session, to pass a law for the establishment of a home for crippled and disabled soldiers and sailors, and their orphans.

E. W. MENAUGH,  
WM. M. LINSOTT,  
D. M. ALSPAUGH,  
Committee.

Very truly, your most obedient servant,

E. W. MENAUGH,  
Post Adjutant.

Which was referred to the Special Committee of which Senator Voyles is chairman.



The Lieutenant Governor announced that he had signed Enrolled House Act No. 133.

Senator Bell asked for an indefinite leave of absence for Senator Null, on account of sickness.

It was so ordered.

Senator Duncan called up Senate Bill No. 85.

The amendments to the bill were ordered considered engrossed.

The bill was read a third time.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Compton, Davidson, Duncan, Faulkner, Fleming, Fletcher, Hill, Hilligass, Hoover, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Jay, Spann, Van Vorhis, Voyles, White, Yancey and Youche. Total, 39.

No Senator voting in the negative.

So the bill passed.

The title was adopted as read.

The President of the Senate announced that he had signed Enrolled Acts of the House Nos. 29 and 117.

Senator Overstreet moved to take up House Bill No. 277, to suspend the constitutional rule, to read the bill a first and second time by title, a third time by sections, and place it upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Faulkner, Fleming,



Fletcher, Graham, Henry, Hill, Hilligass, Johnston, Johnson, Lockridge, Lindley, Macartney, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, White, Yancey and Youche. Total, 39.

No Senator voting in the negative.

So the constitutional rule was suspended.

The bill was read a first and second time by title, a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Ernest, Faulkner, Fleming, Graham, Henry, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Macartney, Marvin, May, McClure, McCulloch, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 38.

No Senator voting in the negative.

So the bill passed.

The title was adopted as read.

The following message was received from the Governor by the hand of the Private Secretary:

EXECUTIVE DEPARTMENT,  
INDIANAPOLIS, INDIANA, February 28, 1883. }

*To the Honorable, the President of the Senate:*

The Governor desires respectfully to inform the Senate that he has approved and signed Senate Bills Nos. 113, 283, 203 and 173, and has caused them to be filed in the office of the Secretary of State.

FRANK H. BLACKLEDGE,  
Private Secretary.



The Lieutenant Governor announced that he had signed Enrolled Act of the Senate No. 6.

Senator Yancey moved to take up House Bill No. 333, suspend the constitutional rules, read the bill a first and second time by title, a third time by sections, and place it upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hutchinson, Johnson, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Yancey and Youche. Total, 38.

Senator Ernest voted in the negative.

So the constitutional rule was suspended.

The bill was read a first and second time by title, a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Graham, Henry, Hill, Hoover, Johnson, Lindley, Macartney, Magee, May, McClure, McCulloch, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Van Vorhis, Voyles, White, Yancey and Youche. Total, 34.

Senator Faulkner voted in the negative.

So the bill passed.

The title was adopted as read.



Senator Willard moved to take up House Bill No. 369, to suspend the constitutional rule, to read the bill a first and second time by title, a third time by sections and place it upon passage.

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Henry, Hill, Hoover, Hutchinson, Johnson, Keiser, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 40.

No Senator voted in the negative.

So the constitutional rule was suspended.

The bill was read a first and second time by title, a third time by sections.

The question being, Shall the bill pass? .

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Henry, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lindley, Macartney, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 40.

No Senator voting in the negative.

So the bill passed.

The title was adopted as read.



Senator Bell moved to take up House Bill No. 329, to read a first and second time by title, a third time by sections, and place it upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Graham, Henry, Hill, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lindley, Macartney, Marvin, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Van Vorhis, White and Yancey. Total, 35.

No Senator voted in the negative.

So the constitutional rule was suspended.

The bill was read a first and second time by title, with report of the committee thereon, as follows:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Engrossed House Bill No. 329, have had the same under consideration, and a majority of the committee have directed me to report the bill with the recommendation that it be amended as follows, and when so amended that the bill do pass, viz.:

Add to the preamble the following:

“And whereas it has been represented to the General Assembly that in certain cases, patents for Wabash and Erie Canal Lands have issued and contained incorrect descriptions of the premises intended to be conveyed, and full payment has been made by purchasers, who have taken, held, and still hold undisputed possession of the lands purchased, and improved the same.”

R. C. BELL,  
Chairman.

Which report was concurred in.

The amendments ordered considered engrossed.

The bill was read a third time by sections.

The question being, Shall the bill pass?



The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Faulkner, Fleming, Fletcher, Foulke, Henry, Hill, Hilligass, Hutchinson, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin; May, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 39.

Senator McClure voting in the negative.

So the bill passed.

The title was adopted as read.

Senator Henry offered the following motion:

MR. PRESIDENT:

I move to reconsider the vote by which the Senate agreed to and concurred in the report of the Conference Committee on House Bill No. 302, being the General Appropriation Bill, and that the Senate recede from all Senate amendments to that bill which have not been concurred in by the House.

HENRY.

On motion of Senator Voyles, the Senate adjourned.



## AFTERNOON SESSION.

MARCH 1, 1883.

The Senate met at 2 o'clock p. m., Lieutenant Governor Hanna in the Chair.

Senator May called up Senate Bill No. 131, with the House amendments thereto, as follows:

Engrossed House amendments to Senate Bill No. 131, made February 14, 1883.

Amend said bill by adding the following proviso:

*Provided, however,* That nothing in this act shall in any manner affect any suit now pending in any of the courts of this State, but the same shall be heard and determined the same as if this act had never been passed.

Which were concurred in.

Senator Ernest, from the Committee on Enrolled Bills, reported as follows:

Mr. PRESIDENT:

The undersigned, Chairman of the Joint Committees on Enrolled Bills, respectfully report for said committees, that on the first day of March, 1883, at 11 o'clock and ten minutes A. M., they delivered to the Governor of the State of Indiana Enrolled House Bill No. 133 for his approval.

JOSHUA ERNEST,  
Chairman Senate Committee.

W. W. TULEY,  
Chairman House Committee.

March 1, 1883.



Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Act No. 6.

JOSHUA ERNEST,  
Chairman.

March 1, 1883.

Senator Sayre offered the following resolution:

*Resolved*, That the Johnson vs. Overstreet contest case be, and the same is hereby made a special order before the Senate for to-morrow at 10 o'clock A. M., and that at 4 o'clock P. M. a vote shall be taken as if the Senate was operating under the previous question, and that no other business until 4 o'clock P. M. shall be considered except by unanimous consent.

Which was adopted.

Senator Rahm moved to take up Senate Bill No. 187, to suspend the constitutional rule and read a second time by title, a third time by sections, and place it upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Brown, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Graham, Henry, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White and Willard. Total, 41.

So the constitutional rule was suspended.

The bill was read a second time by title, with the report of the committee thereon.

Which was concurred in.

The bill was ordered considered engrossed, read a third time by sections.



Senator Van Vorhis was given unanimous consent to offer the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 187, by adding the following:

SEC. 3. Whereas an emergency exists for the immediate taking effect of this act, it shall therefore take effect and be in force from and after its passage.

VAN VORHIS.

Which was adopted.

The question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Fleming, Fletcher, Henry, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Lindley, Macartney, Magee, May, McCulloch, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Van Vorhis, Voyles, White and Youche. Total, 34.

Senator McClure voting in the negative.

So the bill passed.

The title was adopted as read.

Senator Benz moved to suspend the rules to offer a new bill.

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Fleming, Fletcher, Foulke, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, McClure, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White and Youche. Total, 27.



Those voting in the negative were:

Senators Bell, Faulkner, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Magee, May, McCulloch, McIntosh, Rahm, Richardson, Smith of Jay, and Willard. Total 16.

So the motion was adopted.

When Senator Benz introduced Senate Bill No. 291, entitled:

A bill supplemental to an act concerning the publication of the Revised Statutes of 1881, approved April 18, 1881, and declaring an emergency.

Which was read a first time.

Senator Rahm moved to refer the bill to the Committee on Finance.

It was so ordered.

Senator Adkinson moved to take up House Bill No. 351, suspend the constitutional rule, read a first and second time by title, ordered considered engrossed, be read a third time by sections, and placed upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Faulkner, Fleming, Fletcher, Hill, Hoover, Johnston, Johnson, Keiser, Lockridge, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White, Willard and Youche. Total, 37.

Senator Benz voted in the negative.

So the constitutional rule was suspended.

The bill was read a first and second time by title, ordered considered engrossed, read a third time by sections.

The question being, Shall the bill pass?

Consent was given, and the bill was referred to the Committee on Swamp Lands for amendment.



The following message was received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives has passed Senate Bill No. 167, defining the Twentieth Judicial Circuit, and amendments thereto.

Also, Engrossed House Bill No. 224, to legalize the incorporation of the town of Carbon, Clay county.

Also, House Bill No. 418, for an act to legalize the incorporation of the town of Cherubusco, Whitley county, Ind., and declaring an emergency.

Also, Engrossed House Bill No. 380, to legalize the incorporation of the Daleville and Bell Creek Turnpike Company, and declaring an emergency.

Also, Engrossed House Bill No. 460, making specific appropriations, and directing how they shall be paid.

All of which are respectfully referred to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives desires to recall from the files of the Senate the following bills, that were sent by mistake to the Senate:

Senate Bill No. 244.

Senate Bill No. 196.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives has passed Engrossed House Bill No. 256, to provide a fund for the permanent endowment of the



Indiana University, and for the investment of the same, and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Consent was given to Senator Fletcher to offer Senate Bill No. 292, entitled:

A bill for an act to pay to J. F. & H. L. Talbott, for work done by them for the State of Indiana, and declaring an emergency, and moved that the constitutional rule be suspended, that the bill be read a first and second time by title, a third time by sections, and placed upon its passage.

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Brown, Campbell, Davidson, Duncan, Ernest, Fleming, Fletcher, Foulke, Graham, Henry, Hilligass, Johnson, Keiser, Lockridge, Lindley, Macartney, Marvin, May, McClure, McCulloch, Overstreet, Rahm, Ristine, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 35.

Those voting in the negative were:

Senators Faulkner, Hill, Hoover, Hutchinson, Johnston and McIntosh. Total, 6.

So the constitutional rule was suspended.

The bill was read a first and second time by title, ordered considered engrossed, read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Brown, Campbell, Compton, Davidson, Duncan, Fleming, Fletcher, Foulke, Graham, Henry, Hoover, Johnston, Johnson, Keiser, Lockridge,



Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, Overstreet, Rahm, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 37.

Those voting in the negative were:

Senators Benz, Ernest, Faulkner, Hill and McIntosh. Total, 5.

So the bill passed.

The title was adopted as read.

Senator White called up Senate Bill No. 217, and moved that the constitutional rule be suspended to read the bill a second time by title, ordered considered engrossed, read a third time by sections, and placed upon its passage.

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Fleming, Foulke, Graham, Henry, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 38.

Those voting in the negative were:

Senators Benz and Faulkner. Total, 2.

So the constitutional rule was suspended.

The bill was read a second time by title, with the report of the committee thereon.

The report was concurred in.

The bill was read a third time by sections.

The question being, Shall the bill pass?



The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fletcher, Foulke, Henry, Hill, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Ristine, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 38.

Those voting in the negative were:

Senators Faulkner and Fleming. Total, 2.

So the bill passed.

The title was adopted as read.

The Secretary of the Senate was, on motion, directed to return to the House on its request:

Senate Bill No. 244.

Senate Bill No. 196.

Senator Marvin moved to take up Senate Bill No. 167, and to concur in the House amendments thereto, as follows:

Engrossed House amendment to Senate Bill No. 167, February 27:

Amend said bill by striking out the word "forty-third," wherever it occurs in said bill, and substituting therefor the word "forty-fifth."

It was so ordered, and said amendments were concurred in.

Senator Ernest, from the Committee on Enrolled Bills, reported as follows:

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 170 with Enrolled Senate Act No. 170, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.



Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Act No. 87 with Enrolled Senate Act No. 87, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

The following message was received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives has concurred in Senate amendment to House Engrossed Bill No. 381, and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Senator Magee moved to take up Senate Bill No. 273, suspend the constitutional rule, the bill read a second time by title, ordered considered engrossed, that it be read a third time by sections, and placed on its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Henry, Hill, Hilligass, Hoover, Johnston, Johnson, Keiser, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White, Willard and Youche. Total, 41.

No Senator voted in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title, with the report of the committee thereon.



The report was concurred in, and the bill ordered considered engrossed.

The bill was then read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Henry, Hill, Hilligass, Hoover, Hutchinson, Johnson, Keiser, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Smith of Delaware, Spann, Van Vorhis, Voyles, Willard, Yancey and Youche. Total, 36.

Senator Johnston voted in the negative.

So the bill passed.

The title was adopted as read.

Senator Willard moved to take up House Bill No. 51, and that it be read a third time and placed upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Benz, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Foulke, Hill, Hoover, Hutchinson, Johnston, Johnson, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Smith of Delaware, Smith of Jay, Voyles, White, Willard and Yancey. Total, 29.

Those voting in the negative were:

Senators Adkinson, Bundy, Campbell, Fletcher, Graham, Henry, Keiser, Lockridge, Ristine, Sayre, Spann, Van Vorhis and Youche. Total, 9.

So the motion was adopted.



The bill was read a third time.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Benz, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Lindley, Macartney, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Smith of Delaware, Smith of Jay, Voyles, White, Willard and Yancey. Total, 30.

Those voting in the negative were:

Senators Adkinson, Bundy, Fletcher, Foulke, Graham, Henry, Keiser, Lockridge, Ristine, Van Vorhis and Youche. Total, 11.

So the bill passed.

The title was adopted as read.

Senator Adkinson, from the Committee on Swamp Lands, on House Bill No. 351, reported as follows:

**MR. PRESIDENT:**

The Committee on Swamp Lands, to whom was referred engrossed House Bill No. 351, being for the removal of mill-dams, etc., have had the same under consideration and would recommend that the title of said bill be amended to read as follows:

“An act supplementary to an act concerning drainage, approved April 8, 1881, to provide for the removal of mill-dams and other obstructions from water courses, to prevent the overflow of lands, and declaring an emergency.”

That said bill be amended by adding thereto the following section, to-wit:

**SEC. —.** That this act shall be construed as supplementary to an act entitled “An act concerning drainage,” approved



April 8, 1881, and the remedy by it given, as cumulative to any and all remedies now given by law.

And that when said bill and the title thereto are so amended, a majority of said committee do recommend that said bill do pass.

HOOPER, Chairman.

The amendment, by unanimous consent, was adopted.

The question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bundy, Campbell, Compton, Davidson, Ernest, Fleming, Fletcher, Foulke, Henry, Hill, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, May, McCulloch, McIntosh, Rahm, Richardson, Spann, Van Vorhis, Willard and Yancey. Total, 30.

Those voting in the negative were:

Senators Graham, McClure, Overstreet, Ristine, Sayre, Smith of Jay, Voyles, White and Youche. Total, 9.

So the bill passed.

The title was adopted as read.

Senator Spann called up Senate Bill No. 196, and moved that the Senate concur in House amendments thereto, as follows:

**ENGROSSED HOUSE AMENDMENTS TO SENATE BILL NO. 196, FEB. 27.**

Amend said bill as follows:

Strike out the word "two," in section 4, after the words "county of Union," and insert the word "three."

Also, strike out the emergency clause and the following section:

"SECTION 5. That this act shall be in force and take effect from and after the 24th day of April, 1883."

It was so ordered.



Senator Smith, of Jay, from Special Committee on County Boundary Lines, on Senate Bill 280, reported as follows:

MR. PRESIDENT:

Your committee, to whom was referred Senate Bill No. 280, have had the same under consideration, and a majority of the committee return the bill with the recommendation to amend the bill by striking out sections 1 and 2, and then that the bill do pass.

SMITH,  
Of Jay.

Senator Fleming offered the following minority report, on the same bill, from the same committee:

MR. PRESIDENT:

I offer the following minority report on Senate Bill No. 280:

It contemplates the change of the boundaries of the counties of Grant, Blackford, Warren and Fountain, by the General Assembly, without the consent of the voters of said counties.

Therefore, I recommend its indefinite postponement.

J. FLEMING.

Senator Campbell, from the Committee on Corporations, on Senate Bill No. 59, reported as follows:

MR. PRESIDENT:

Your Committee on Corporations, to whom was referred Senate Bill No. 59, report that they have had the same under consideration, and a majority of your committee recommend that said bill do pass.

Senator Voyles gave the following notice of a motion to reconsider the vote by which Senate Bill No. 281 failed to be engrossed, to-wit:

Having voted against the engrossment of Senate Bill No. 281, I will on to-morrow move to reconsider the vote by which said bill failed to be engrossed.

VOYLES.



Senator Graham moved to take up Senate Bill No. 275, on its third reading.

It was so ordered.

The bill was read a third time.

The question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Johnston, Johnson, Keiser, Lindley, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Voyles, White, Yancey and Youche. Total, 36.

No Senator voted in the negative.

So the bill passed.

The title was adopted as read.

The President of the Senate announced that he had signed Enrolled Acts of Senate No. 170, and No. 87.

Senator Hilligass called up Senate Bill No. 205, and moved that the constitutional rule be suspended, the bill read a second time by title, with the report of the committee thereon, be ordered considered engrossed, read a third time by sections, and placed upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Campbell, Davidson, Duncan, Ernest, Faulkner, Fletcher, Foulke, Hill, Hilligass, Hoover, Johnston, Johnson, Lindley, Magee, May, McClure, McIntosh, Overstreet, Rahm, Richardson, Ristine, Smith of Delaware, Smith of Jay, Voyles, White, Willard, Yancey and Youche. Total, 31.

Those voting in the negative were:

Senators Bundy, Henry and Sayre. Total, 3.

So the motion failed.



Senator Duncan moved to take up House Bill No. 256, and that it be read a first time and referred to a special committee of five, with instructions to report to-morrow morning at 10 o'clock.

It was so ordered.

The bill was read a first time, and referred to a special committee consisting of Senators Duncan, Magee, Spann, Bell and White.

The following message was received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that he has signed Enrolled Senate Act No. 170 and Senate Enrolled Act No. 87, and the same is herewith transmitted to the Senate.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 138, for an act on the subject of railroad crossings.

Also, Engrossed Senate Bill No. 196, for an act to amend section nine (9), thirty-eight (38), twenty seven (27), to amend the act to divide the State into circuits for judicial purposes.

Also, Engrossed Senate Bill No. 74, authorizing any manufacturing company to erect a dam across the St. Joseph river, in Elkhart county.

Also, Engrossed Senate Bill No. 67, authorizing municipal corporations to invest their sinking funds in government, State and county bonds temporarily.

Also, engrossed Senate Bill No. 285, for an act to legalize the term of court held in the county of Pulaski, in the month of June, 1881.

And the same are herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.



Senator Yancey offered the following resolution:

*Resolved*, That Louis Reibold is hereby allowed the sum of \$450 on account of committee rooms furnished the several Senate committees during the present session of the General Assembly, and that the President of the Senate be instructed to draw his warrant for the above-mentioned amount.

YANCEY.

Senator Yancey moved its adoption.

Senator Bundy moved to amend by referring it to the Committee on Claims.

It was adopted as amended.

Senator Johnson moved to take up Senate Bill No. 206, to suspend the constitutional rule, to read the bill a second time by title, to order it considered engrossed, to read a third time by sections, and place it upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hoover, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McIntosh, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 40.

Senator Johnston voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title, with the report of the committee thereon.

The report was concurred in.

The bill was ordered considered engrossed.

Read a third time by sections.

The question being, Shall the bill pass?



The ayes and nays were taken, and resulted as follows :

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bundy, Campbell, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Henry, Hoover, Hutchinson, Johnson, Keiser, Lockridge, Lindley, Magee, Marvin, May, McClure, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Voyles, White, Willard and Yancey. Total, 36.

Those voting in the negative were:

Senators Compton, Hill, Macartney and Youche. Total, 4.

So the bill passed.

Senator Johnson offered the following amendment to the title :

MR. PRESIDENT:

Your committee, to whom was referred Senate Bill No. 206, begs to report that the title of said bill should be so amended as to read, "A bill for an act requiring County Auditors to advertise amount of school fund not loaned out in their county at stated periods, and declaring an emergency."

FRANCIS JOHNSON.

So the title was adopted as amended and read.

Senator Voyles gave notice, as follows :

MR. PRESIDENT:

I offer the following resolution as a new section to the Senate rules and as an amendment to said rules, and I give notice that on to-morrow, March the 2d, 1883, I will move its adoption, to-wit:

SEC. 61. That whenever the Senate shall be notified that any bill that originated in the House, and that has passed both branches of this General Assembly, and that has been delivered to the Governor, and that has been by him returned to the House in which it originated, with his objections thereto, and



that has been by such House reconsidered and passed over such veto of the Governor, all debate upon whatever subject or question shall at once cease, and all other business shall at once be suspended, and the Senate shall at once, as if the Senate was operating under the previous question, proceed to consider whether such bill shall pass notwithstanding such veto of the Governor.

S. B. VOYLES.

Senator Bell moved to take up House Bill No. 230, suspend the constitutional rule, the bill be read a first and second time by title, a third time by sections, and be placed upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Campbell, Compton, Davidson, Duncan, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Van Vorhis, Voyles, White, Willard and Yancey. Total, 38.

No Senator voted in the negative.

So the constitutional rule was suspended.

The bill was read a first time and second time by title, ordered considered engrossed, and read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bundy, Campbell, Compton, Davidson, Duncan, Fleming, Fletcher, Foulke, Graham, Henry, Hilligass, Hutchinson, Johnson, Lockridge, Lindley, Macartney, Magee, Marvin, McClure, McIntosh, Overstreet, Rahm, Ristine, Sayre, Smith of Delaware, Smith of Jay, Van Vorhis, White and Yancey. Total, 31.



Those voting in the negative were:

Senators Benz, Faulkner, Hill, Hoover, Howard, Richardson, Voyles and Youche. Total, 8.

So the bill passed.

The title was adopted as read.

Senator Foulke moved to take up House Bill No. 366, suspend the constitutional rule, the bill be read a first and second time by title, a third time by sections, and placed upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hoover, Howard, Hutchinson, Johnson, Keiser, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Van Vorhis, Voyles, White, Yancey and Youche. Total, 38.

No Senator voting in the negative.

So the constitutional rule was suspended.

The bill was read a first and second time by title, a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bundy, Campbell, Compton, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Henry, Hill, Hilligass, Hoover, Howard, Johnson, Keiser, Lockridge, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Jay, Spann, Van Vorhis, Voyles, White, Willard and Youche. Total, 39.

No Senator voting in the negative.

So the bill passed.

The title was adopted as read.



The following message was received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives has passed engrossed Senate Bill No. 114, for an act concerning taxation.

Engrossed Senate Bill No. 151, relating to county, State and other officers, and the payment by them of certain funds to their successors.

Engrossed Senate Bill No. 105, for an act to legalize the incorporation of the town of Waynetown, in Montgomery county.

Also, Engrossed Senate Bill No. 57, for an act to amend section 280, of an act entitled "An act concerning proceedings in civil cases." All of which are respectfully referred to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed Engrossed House Bill No. 366, relative to Maple Grove Cemetery, in Richmond, Wayne county, Indiana.

Also, Senate Bill No. 162, for an act concerning deeds executed by administrators, etc. And the same are herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives has passed Engrossed Senate Bill No. 12, to amend an act concerning public offenses and their punishment. And the same is herewith transmitted to the Senate for its action thereon.

EDWINS,  
Principal Clerk.



Senator Smith, of Jay, moved that Senate Bill No. 280 be taken up and read a second time.

It was so ordered.

The bill was read a second time with the majority and minority report of the committee thereon.

On motion of Senator Youche the Senate adjourned.

THOMAS HANNA,  
President of the Senate.



FRIDAY MORNING.

MARCH 2, 1883.

Senate met at 9 o'clock, Lieutenant Governor Hanna in the Chair.

Prayer was offered by the Rev. S. T. Gillett, of Southeast Indiana Conference M. E. Church.

On motion of Senator Campbell the reading of the minutes was dispensed with.

Senator Brown moved to suspend the rules and take up House Bill No. 91.

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Brown, Campbell, Duncan, Fleming, Fletcher, Graham, Hutchinson, Lockridge, Lindley, Magee, Rahm, Ristine, Sayre, Spann, Voyles, White, Willard and Yancey. Total, 18.

Those voting in the negative were:

Senators Bell, Benz, Bichowsky, Compton, Davidson, Ernest, Faulkner, Foulke, Henry, Hill, Hilligass, Hoover, Howard, Johnson, Macartney, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Smith of Jay, and Van Vorhis. Total, 22.

So the motion was lost.



Senator Duncan from the special committee on House Bill No. 256, reported as follows:

MR. PRESIDENT:

Your committee on House Bill No. 256, report that they have had the same under consideration, and recommend that the bill do pass.

W. C. DUNCAN,  
D. H. WHITE,  
RUFUS MAGEE,  
J. J. SPANN.

Senator Duncan moved to take up House Bill No. 256, suspend the constitutional rule, read the bill a second time by title, and a third time by sections and place it on its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Bichowsky, Brown, Campbell, Compton, Davidson, Duncan, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hoover, Howard, Hutchinson, Johnson, Lindley, Macartney, Magee, Marvin, McClure, McCulloch, Overstreet, Rahm, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White, Willard and Yancey. Total, 36.

Those voting in the negative were:

Senators May, McIntosh and Ristine. Total 3.

So the constitutional rule was suspended.

The bill was read a second time by title, with the report of the committee thereon.

Which was concurred in.

Senator Henry offered the following amendment:

MR. PRESIDENT:

I move to amend section 6 as follows:

Strike out the first proviso and insert in lieu thereof the following:



*“Provided, If at any time hereafter the said Indiana University shall be consolidated with any other educational institution or institutions of the State, or shall be removed from its present location for any cause whatever, the fund raised under the provisions of this act shall be held and used for the benefit of such institution as consolidated or changed, notwithstanding such change or consolidation, whenever so removed or consolidated.”*

Which was adopted.

The amendment was ordered considered engrossed.

The bill was read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Lindley, Macartney, May, McCulloch, Overstreet, Rahm, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Willard and Youche. Total, 37.

Those voting in the negative were:

Senators Faulkner, Marvin, McClure and Richardson. Total, 4.

So the bill passed.

The title was adopted as read.

Senator Faulkner, from the Committee on Federal Relations, reported as follows on Senate Bill No. 256:

MR. PRESIDENT:

Your Committee on Federal Relations, to whom was referred Senate Bill No. 256, have had the same under consideration, and recommend that it be laid on the table.

C. R. FAULKNER,  
Chairman.



Senator Faulkner, from the same committee, on Senate Bill No. 226, reported as follows:

MR. PRESIDENT:

Your Committee on Federal Relations, to whom was referred Senate Bill No. 226, have had the same under consideration, and a majority of the committee recommend that it lie on the table.

C. R. FAULKNER,  
Chairman.

Senator Faulkner, from the same committee, on Senate Bill No. 224, reported as follows:

MR. PRESIDENT:

Your Committee on Federal Relations, to whom was referred Senate Bill No. 224, have had the same under consideration, and a majority of said committee recommend that it lie on the table.

C. R. FAULKNER,  
Chairman.

Senator Faulkner, from the same committee, on Senate Bill No. 210, reported as follows:

MR. PRESIDENT:

Your Committee on Federal Relations, to whom was referred Senate Bill No. 210, have had the same under consideration, and a majority have instructed me to report the same back and recommend its passage.

C. R. FAULKNER,  
Chairman.

Senator Ernest, from the Committee on Enrolled Bills, reported as follows:

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 167 with Enrolled Senate Act No. 167, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.



Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 121 with Enrolled Senate Act No. 121, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have compared engrossed Senate Bill No. 138 with enrolled Senate Act No. 138 and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, enrolled Senate Act No. 170.

JOSHUA ERNEST,  
Chairman.

March 1, 1883.

Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, enrolled Senate Act No. 87.

JOSHUA ERNEST.

March 1, 1883.

The following message from the House was received by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker to inform the Senate that the Speaker of the House of Representatives has signed:

House Enrolled Act No. 333.

House Enrolled Act No. 285.

House Enrolled Act No. 407.

House Enrolled Act No. 30.

House Enrolled Act No. 369.

S. W. EDWINS,  
Principal Clerk.



Also,

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that the Speaker of the House of Representative has signed Senate Enrolled Act No. 121, Enrolled Senate Act No. 138, and Enrolled Senate Act No. 167.

S. W. EDWINS,  
Principal Clerk.

The President of the Senate announced that he had signed Enrolled Act of House No. 407, and Enrolled Act of Senate No. 138.

Senator Compton moved to take up House Bill No. 224, suspend the constitutional rule, the bill be read a first and second time by title, a third time by sections, and placed upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Campbell, Compton, Davidson, Ernest, Faulkner, Fleming, Foulke, Henry, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Lockridge, Lindley, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 38.

No Senator voted in the negative.

So the constitutional rule was suspended.

The bill was read a first and second time by title, and a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Brown, Campbell, Compton, Davidson, Duncan, Fleming, Fletcher, Graham, Hill,



Hilligass, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White, Yancey and Youche. Total, 40.

No Senator voted in the negative.

So the bill passed.

The title was adopted as read.

Senator Campbell moved to take up House Bill No. 286, to suspend the constitutional rule, that the bill be read a first and second time by title, a third time by sections, and place it upon its passage.

The ayes and nays were taken, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Faulkner, Fleming, Fletcher, Foulke, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Marvin, May, McClure, McCulloch, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Jay, Spann, Van Vorhis, Voyles, White, Yancey and Youche. Total, 35.

Senator McIntosh voted in the negative.

So the constitutional rule was suspended.

The President of the Senate announced that he had signed Enrolled Acts of House Nos. 367, 30, 383, 285, and Enrolled Acts of the Senate Nos. 167, 121 and 196.

Senator Smith of Jay, moved to take up Senate Bill No. 180.

Senator McCulloch called up the special order, it being the Johnson vs. Overstreet election contest case, and the reports of the committee thereon were read.

The question being, Shall the second minority report be substituted for the first minority report ?



Pending the discussion of the question, Senator Ernest, from the Committee on Enrolled Bills, reported as follows :

MR. PRESIDENT :

The Committee on Enrolled Bills have compared engrossed Senate Act No. 196 with enrolled Senate Act No. 196 and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

The following message from the House was received by the hands of the Principal Clerk thereof :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House of Representatives has passed House Engrossed Bill No. 293, to provide for organizing and regulating the business of Life Insurance Corporations, etc., and declaring an emergency, and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT :

I am directed by the Speaker of the House of Representatives to inform the Senate that the Speaker has signed House Enrolled Act No. 51.

S. W. EDWINS,  
Principal Clerk.

Senator Bell moved that the Senate adjourn.

The motion prevailed.



## FRIDAY AFTERNOON.

MARCH 2, 1883.

Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

The President of the Senate announced that he had signed Enrolled Acts of the House Nos. 103 and 51.

Senator Foulke arose to a question of privilege, and stated, "I am authorized by the Senator from Crawford to state that he has been approached in regard to the Metropolitan Police Bill, and asked how much money he would take to support the bill; therefore, I move that a committee of three be appointed by the President to inquire into the matter, and the committee have power to send for persons and papers."

It was so ordered.

The Chair appointed as such committee, Senators Foulke, McIntosh and Youche.

The following message was received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House of Representatives to inform the Senate that the Speaker has signed the following Enrolled Acts: House Act No. 61; House Act No. 308; House Act No. 408; House Act No. 230; House Act No. 13; House Act No. 381.

S. W. EDWINS,  
Principal Clerk.



The following message was received from the Governor by the hands of his Private Secretary:

EXECUTIVE DEPARTMENT,  
INDIANAPOLIS, IND., March 1, 1883. }

*To the Honorable the President of the Senate:*

SIR—I am directed by the Governor to inform the Senate that he has approved and signed Senate Enrolled Bills Nos. 6, 121, 170, 167 and 138, and has caused them to be filed in the office of the Secretary of State.

Respectfully,

FRANK H. BLACKLEDGE,  
Private Secretary.

The following message was received from the House at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives has passed Senate Engrossed Bill No. 130, for an act to amend section 16 of an act for the regulating of coal mines, and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

The following messages were received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the Speaker of the House has signed House Enrolled Act No. 256.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Engrossed House Bill No. 270, being "An



act to legalize the incorporation of the town of Oakland, Gibson county, Indiana, and other matters connected therewith."

And the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed engrossed House Bill No. 397, being a bill for an act to legalize the incorporation of the town of Roachdale, in Putnam county, and other matters connected therewith, and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed engrossed House Bill No. 227, being a bill to legalize the election of the Board of Trustees and all other officers of the town of Jasper, Dubois county, and other matters connected therewith, and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed engrossed House Bill No. 176, being a bill for an act to amend section 108 of an act entitled an act concerning taxation, etc., and other matters connected therewith.

Also, Engrossed House Bill No. 313, being an act to amend section 4 of an act entitled an act to provide a treasury system, etc., and other matters connected therewith, and the same are herewith transmitted to the Senate for its action.

S. W. EDWINS,  
Principal Clerk.



The question being, Shall the minority report of Senator Voyles be adopted?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were: .

Senators Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Marvin, May, McClure, McIntosh, Null, Richardson, Smith of Jay, Voyles and Willard. Total, 22.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Hill, Keiser, Lockridge, Lindley, Macartney, Magee, McCulloch, Rahm, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 24.

Senator Overstreet was excused from voting.

So the motion was lost.

The question being, Shall the minority report of Senator McCulloch be adopted?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators McCulloch and Willard. Total, 2.

Those voting in the negative were:

Senators Adkinson, Benz, Bichowsky, Brown, Bundy, Campbell, Davidson, Duncan, Ernest, Faulkner, Fleming, Foulke, Graham, Henry, Hill, Hoover, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McIntosh, Null, Rahm, Ristine, Sayre, Smith of Jay, Spann, Van Vorhis, Voyles, White, Yancey and Youche. Total, 40.

So the motion was lost.

Senator Overstreet was excused from voting.



The question being, Shall the majority report be adopted?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Hill, Keiser, Lockridge, Lindley, Macartney, Magee, May, Rahm, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Youche. Total, 24.

Those voting in the negative were:

Senators Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Marvin, McClure, McCulloch, McIntosh, Null, Richardson, Smith of Jay, Voyles and Willard. Total, 22.

The motion was adopted.

Senator Overstreet was excused from voting.

Senator Henry moved to reconsider the vote, and to lay that motion on the table.

It was so ordered.

The President of the Senate announced that he had signed enrolled act of the House No. 256.

Senator Ernest, from the Committee on Enrolled Bills, reported as follows:

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Act No. 285 with Enrolled Senate Act No. 285, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 74 with Enrolled Senate Act No. 74, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.



MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Act No. 151 with Enrolled Senate Act No. 151, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 105 with Enrolled Senate Act No. 105, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Act No. 57 with Enrolled Senate Act No. 57, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 114 with Enrolled Senate Act No. 114, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 67 with Enrolled Senate Act No. 67, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 162 with Enrolled Senate Act No. 162, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.



MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Act No. 196.

JOSHUA ERNEST,  
Chairman.

March 2, 1883.

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Act No. 138.

JOSHUA ERNEST,  
Chairman.

March 2, 1883.

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Act No. 121.

JOSHUA ERNEST,  
Chairman.

March 2, 1883.

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Act No. 167.

JOSHUA ERNEST,  
Chairman.

March 2, 1883.

Senator Spann offered the following resolution:

*Resolved*, That the Assistant Secretary of the Senate is hereby instructed to draw his warrant in favor of Arthur Moody, for services for twenty-eight days as Page of the Senate.

SPANN.

Which was adopted.



Senator Voyles offered the following resolution:

**WHEREAS**, The law provides that the Principal Secretary and Assistant Secretary shall index the Calendars and Journals of the Senate, and that the Senate shall make a just compensation for the same; therefore, be it

*Resolved*, That Albert J. Kelley and Harry C. Huffstetter be allowed the sum of \$300 each for the performance of the above mentioned duty; and the President of the Senate be instructed to draw his warrant for the above named amounts.

*Provided*, That said money shall only be paid when the work is done, and such fact shall be made to appear by the certificate of the Secretary of State.

VOYLES.

Senator McCulloch moved that it be referred to the Committee on Claims, to report to-morrow.

It was so ordered.

House Bill 286, on which the constitutional rule was heretofore suspended, was taken up, read a first and second time by title, and a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hillgass, Hoover, Johnson, Keiser, Lockridge, Lindley, Macartney, McClure, McCulloch, Null, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Van Vorhis, Voyles, Yancey and Youche. Total, 35.

Those voting in the negative were:

Senators Marvin and Willard. Total, 2.

So the bill passed.

The title was adopted as read.



Senator Van Vorhis moved as follows:

MR. PRESIDENT:

I move that House Bill No. 460, "Specific Appropriation Bill," be taken up, the constitutional rule be suspended, the bill be read the first and second time by title, and be referred to the Committee of the Whole Senate at 7:30 P. M., with instructions to report on said bill at 9 A. M. to-morrow.

F. J. VAN VORHIS.

Which motion was adopted.

The question being, Shall the rules be suspended on House Bill No. 460, and the same be read a first and second time by title, and so referred?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hoover, Johnson, Keiser, Lockridge, Lindley, Macartney, Marvin, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Ristine, Sayre, Smith of Delaware, Van Vorhis, White, Yancey and Youche. Total, 34.

Those voting in the negative were:

Senators Ernest, Faulkner, Hilligass and Willard. Total, 4.

So the constitutional rules were suspended.

The bill was read a first and second time by title and referred to the Committee of the Whole Senate.

Senator Ristine called up Senate Bill No. 88, and moved that the Senate refuse to concur in House amendment to said Senate Bill No. 88, and that a committee be appointed.

It was so ordered.

Senators Ristine and Bell were appointed by the President of the Senate as such committee.



The following message was received from the House, at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Engrossed House Bill No. 65, being a bill for an act concerning drainage.

Also, Engrossed Senate Bill No. 45 for "An act supplemental to an act to incorporate the Ohio Insurance Co., etc., and other matters connected therewith."

Also, Engrossed House Bill No. 359, being "An act in relation to the lighting of cities and towns, etc., and other matters connected therewith."

Also, House Concurrent Resolution No. 13, thanking James Gordon Bennett for his friendly gift to the flood sufferers on the Ohio River.

And the same are herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

On motion of Senator Willard the Senate adjourned.

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## EVENING SESSION.

MARCH 2, 1883.

The Senate met at 7:30 p. m., Lieutenant Governor Hanna in the Chair.

Senator Johnson demanded a call of the Senate.

Which being taken, resulted as follows:

Those Senators present and answering to their names were:

Senators Adkinson, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Foulke,



Graham, Henry, Hill, Hoover, Howard, Johnston, Johnson, Lindley, Macartney, Magee, Marvin, May, McClure, Overstreet, Richardson, Ristine, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White and Yancey. Total, 32.

The roll call showed thirty-two Senators present.

When Senator Voyles moved that the doors be closed and the absentees be sent for.

It was so ordered.

Senator Smith of Jay asked leave of absence for Senator Hutchinson until to-morrow morning.

It was so ordered.

Senator Spann asked leave of absence for Senator Johnston until to-morrow, and stated that he was paired with him on all political questions.

It was so ordered.

Senator Magee, absent at the call of the Senate, appeared and was excused.

Senator Bundy, absent at the call of the Senate, appeared and was excused.

It was moved that the further call of the Senate be dispensed with.

It was so ordered.

The following messages were received from the House at the hands of the Principal Secretary thereof:

**MR. PRESIDENT:**

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 429, in relation to the appropriating money for the erection of family buildings, putting in gas and for drainage at the House of refuge, etc., and other matters connected therewith, transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.



Also,

MR. PRESIDENT :

I am instructed by the Speaker of the House to inform the Senate that the Speaker of the House has signed :

Senate Enrolled Act No. 57.

Senate Enrolled Act No. 67.

Senate Enrolled Act No. 74.

Senate Enrolled Act No. 105.

Senate Enrolled Act No. 114.

Senate Enrolled Act No. 157.

Senate Enrolled Act No. 162.

Senate Enrolled Act No. 285.

And the same are transmitted to the Senate.

S. W. EDWINS,  
Principal Clerk.

Senator Foulke moved to dispense with the special order of business for the purpose of taking up House Joint Resolution No. 1.

Senator Johnson moved to lay the motion on the table.

The ayes and nays were demanded and taken, and resulted as follows :

Those voting in the affirmative were :

Senators Bell, Benz, Bichowsky, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Howard, Johnson, Maggee, May, McClure, Rahm, Smith of Jay, Van Vorhis, Voyles, White, Willard and Youche. Total, 22.

Those voting in the negative were :

Senators Adkinson, Benz, Bundy, Campbell, Fleming, Foulke, Hoover, Lindley, Macartney, Marvin, Overstreet, Richardson, Ristine, Sayre, and Smith of Delaware. Total, 15.

So the motion prevailed.

Senator Spann stated that he was paired with Senator Johnston. That if Senator Johnston was present he would vote aye, and he (Spann) would vote no, if not paired, and declined to vote.



Senator Van Vorhis was given consent and introduced Senate Bill No. 293.

A bill for an act to repeal an act entitled "An act concerning legal advertising in certain cases, and repealing all laws in conflict therewith, and declaring an emergency."

Which was read a first time and referred to a special committee of three, as follows:

Senators Fletcher, Van Vorhis and Bell.

Senator Smith, of Jay, asked for leave of absence for himself and Senator Henry during the evening.

It was so ordered.

Senator Bell offered the following resolution :

*Resolved*, That Richard M. Johnson, contestor in the election case of Johnson *vs.* Overstreet, be and is hereby allowed the sum of \$1,998 for expenses in contesting said case, as shown by the following items, to-wit :

Cash actually expended.....	\$700 00
Expenses in Morgan county.....	218 85
Expenses in Johnson county .....	119 15
Cash paid G. W. Cooper, Attorney .....	100 00
Cash paid Jas. V. Mitchell, Attorney .....	200 00
Cash paid Cropsey & Cooper, attorney fees.....	300 00
Per Diem for Richard M. Johnson.....	360 00
Total.....	<hr/> \$1,998 00

And the President of the Senate is hereby authorized to draw his warrant for said amounts.

Which was referred to the Committee on Elections.

Senator Brown moved to take up House Bill No. 91, entitled :

A bill concerning the relation of county seats.

That the reports of the committee be considered, and the bill read a second time.

Senator May moved to lay the motion on the table.



The ayes and nays being demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Bell, Bichowsky, Compton, Ernest, Faulkner, Hill, Howard, May, McCulloch, Richardson and Van Vorhis. Total, 11.

Those voting in the negative were:

Senators Adkinson, Brown, Bundy, Davidson, Duncan, Fletcher, Foulke, Graham, Hoover, Johnson, Keiser, Lockridge, Magee, Marvin, McClure, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Voyles, White, Willard, Yancey and Youche. Total, 26.

So the motion to lay on the table was lost.

The question being, Shall the motion of Senator Brown be adopted?

It was so ordered.

The bill was read a second time, with amendment proposed by the committee.

Senator Johnson, moved to defer the further consideration of the bill until to-morrow morning.

It was so ordered.

The Lieutenant Governor announced the signing of Enrolled Acts of the Senate Nos. 162, 57, 114, 74, 105, 67, 151 and 285, and Enrolled Acts of the House Nos. 13, 230, 308, 408 and 61.

Senator Bell was given consent to offer Senate Bill No. 294, and moved to suspend the constitutional rule, to read the bill a first and second time by title, a third time by sections, and place it upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming,



Fletcher, Foulke, Graham, Hill, Hoover, Howard, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Yancey and Youche. Total, 39.

Senator Benz voted in the negative.

So the constitutional rule was suspended.

The bill was read a first and second time by title, ordered considered engrossed, read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Graham, Hill, Hoover, Howard, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, McClure, McCulloch, McIntosh, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 40.

No Senator voting in the negative.

So the bill passed.

The title was adopted as read.

Senator Voyles gave notice that on to-morrow he would move the adoption of Senate Rule No. 61.

Senator Voyles moved to take up House Bill No. 464, to suspend the constitutional rule, to read the bill a first and second time by title, ordered considered engrossed, a third time by sections, and placed upon its passage.

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Faulkner, Fleming, Fletcher,



Foulke, Hill, Hoover, Howard, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, McClure, McCulloch, McIntosh, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Voyles, White, Willard, Yancey and Youche. Total, 87.

No Senator voted in the negative.

So the constitutional rule was suspended.

The bill was read a first and second time by title, ordered considered engrossed, read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Foulke, Hill, Hoover, Howard, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total 41.

Senator Faulkner voting in the negative.

So the bill passed.

The title was adopted as read.

The following message was received from the House at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed engrossed House Bill No. 372, relating to Gymnastic Associations, etc., and other matters in relation thereto, and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.



Also,

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Senate Concurrent Resolution No. 10, in relation to the loss of statutes by the flood, etc., and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am instructed by the Speaker of the House of Representatives to inform the Senate that the Speaker has signed Enrolled House Acts No. 198 and 329.

Also, House Enrolled Act No. 366.

House Enrolled Act, No. 357.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House of Representatives has passed Engrossed Senate Bill No. 189, for an act to authorize railroad companies organized under the laws of the State of Indiana, to indorse and guarantee the bonds of any railroad company organized under the laws of an adjoining State, and declaring an emergency, and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Senator McCulloch moved that when the Senate adjourn it be to to-morrow morning at 10 o'clock.

It was so ordered.



Senator Smith, of Delaware, moved to take up House Bill No. 380, to suspend the constitutional rule, the bill be read a first and second time by title, a third time by sections, and be placed upon its passage.

The ayes and nays being taken resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Foulke, Hill, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Yancey and Youche. Total, 37.

Senator Faulkner voted in the negative.

So the constitutional rule was suspended.

The bill was read a first and second time by title, and a third time by sections.

The question being, Shall the bill pass ?

The ayes and nays were taken, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Benz, Bichowsky, Brown, Bundy, Campbell, Davidson, Duncan, Ernest, Fleming, Fletcher, Hill, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, White, Yancey and Mr. President. Total, 34.

No Senator voting in the negative.

So the bill passed.

The title was adopted as read.

Senator Marvin asked leave of absence for the remainder of the evening.

It was so ordered.



The Senate went into the Committee of the Whole on House Bill No. 460, being the specific appropriation bill.

Pending the consideration of said bill, the Senate arose from the Committee of the Whole, and the following message was received from the House at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Engrossed House Bill No. 247, relating to the incorporations of towns and other matters relating thereto.

Also, Engrossed House Bill No. 332, relating to proceedings in criminal cases, and other matters in relation thereto.

Also, that the Speaker of the House of Representatives has signed House Enrolled Act No. 277, and the same are herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

The Senate again went into the Committee of the Whole.

The Committee of the Whole reported progress on House Bill No. 460.

On motion, the Senate adjourned.

THOMAS HANNA,  
President of the Senate.



## SATURDAY MORNING.

MARCH 3, 1883.

The Senate met at 10 o'clock, Lieutenant Governor Hanna in the Chair.

The reading of the Journal was being proceeded with, when, on motion of Senator Compton, the further reading of the minutes was dispensed with.

Senator Van Vorhis, from the Special Committee on Senate Bill No. 293, reported as follows:

MR. PRESIDENT:

Your Special Committee, to whom was referred Senate Bill No. 293, have had the same under consideration, and recommend that the constitutional rules be suspended, and the bill passed.

VAN VORHIS,  
FLETCHER.

Senator Van Vorhis moved that the constitutional rules be suspended, the report of the committee be concurred in, the bill read a second time by title, a third time by sections, and place it upon its passage.

The ayes and nays being taken, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hoover, Howard, Johnston, Johnson, Lindley, Macartney, Magee, Marvin, May, McClure, Overstreet, Rahm, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, Van Vorhis, Voyles, White, Willard and Youche. Total, 38.

Senator Faulkner voted in the negative.

So the constitutional rules were suspended.



The bill was read a second time by title, the report of the committee concurred in, ordered considered engrossed, read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hoover, Howard, Johnston, Johnson, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Yancey and Mr. President. Total, 37.

Those voting in the negative were:

Senators Hilligass, McCulloch, and Smith of Jay. Total, 3.

So the bill passed.

The title was adopted as read.

Senator Fletcher called up House Bill No. 176, and moved that the constitutional rule be suspended, the bill be read a first and second time by title, a third time by sections, and placed upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hoover, Howard, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Sayre, Smith of Delaware, Van Vorhis and Yancey. Total, 35.

No Senator voted in the negative.

So the constitutional rule was suspended.



The bill was read a first and second time by title, and a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Faulkner, Fleming, Fletcher, Henry, Hill, Howard, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Smith of Delaware, Van Vorhis, Voyles, White and Yancey. Total, 34.

No Senator voted in the negative.

So the bill passed.

The title was adopted as read.

The President of the Senate announced that he had signed Enrolled Acts of the House Nos. 366, 198, 329, 277 and 351.

Senator Rahm moved to take up House Bill No. 359, to suspend the constitutional rule, to read it a first and second time by title, a third time by sections, and place it upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Fleming, Fletcher, Foulke, Hill, Hoover, Howard, Johnson, Keiser, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Sayre, Smith of Delaware, Smith of Jay, Van Vorhis, White, Yancey and Youche. Total, 34.

Those voting in the negative were:

Senators Bell, Faulkner, Graham, Henry, Johnston, Lockridge, Ristine and Voyles. Total, 8.

So the constitutional rule was suspended.



The following messages were received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 278, being an act concerning drainage, and other matters relating thereto; also, Engrossed Senate Bill No. 236, concerning good behavior of prisoners, and other matters connected therewith, and the amendments thereto; also, Engrossed Senate Bill No. 292, concerning work done by J. F. and H. L. Talbott for the State, and other matters connected therewith, and the amendments thereto, and the same are herewith transmitted to the Senate for further action thereon.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am instructed by the Speaker of the House of Representatives to inform the Senate that the Speaker has signed Enrolled House Acts Nos. 224 and 286; also, Enrolled Senate Acts Nos. 189 and 130, and the same are herewith transmitted to the Senate.

S. W. EDWINS,  
Principal Clerk.

Senator Ernest, from the Committee on Enrolled Bills, reported as follows:

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 189 with Enrolled Senate Act No. 189, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 130 with Enrolled Senate Act No. 130, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.



House Bill No. 359 was read a first and second time by title.

Senator Voyles moved to refer the same to a special committee of three.

It was so ordered, and Senators Voyles, Rahm and Bundy appointed such committee.

Senator Benz offered the following resolution:

*Resolved*, That the members of the Senate Committee on the Affairs of the State Prisons, be and they are hereby allowed for their expenses in visiting the Prison North, as follows:

John Benz.....	\$15 00
L. S. Null.....	15 00
Fred. Hoover.....	15 00
W. B. Hutchinson.....	15 00
Francis Macartney.....	15 00
John H. Lindley.....	15 00
Marvin Campbell.....	15 00

*Be it further resolved*, That the President of the Senate is hereby instructed to draw his warrant for the above amounts.

Which was adopted.

Senator Bundy, from the Committee on Judiciary, on Senate Bill No. 176, reported as follows:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 176, have had the same under consideration, and a majority of the committee have directed me to return the bill with the recommendation that it lie on the table.

BUNDY.

The report of the committee was concurred in.



Senator White moved to take up House Bill No. 332, to read it a first and second time by title, a third time by sections, and place it upon its passage.

The ayes and nays were taken, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hoover, Howard, Johnson, Keiser, Lockridge, Lindley, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Van Vorhis, White, Willard, Yancey and Youche. Total, 37.

Those voting in the negative were :

Senators Faulkner and Johnston. Total, 2.

So the constitutional rule was suspended.

The bill was read a first and second time by title, and a third time by sections.

The question being, Shall the bill pass ?

The ayes and nays were taken, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bichowsky, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Foulke, Graham, Henry, Hill, Hoover, Howard, Johnson, Keiser, Lindley, Macartney, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann, White, Willard, Yancey and Youche. Total, 32.

Those voting in the negative were :

Senators Faulkner and Magee. Total, 2.

So the bill passed.

The title was adopted as read.



Senator Spann, from the Committee of the Whole Senate, on House Bill No. 460, reported as follows:

MR. PRESIDENT:

Your Committee of the Whole, having under consideration House Bill No. 460, beg leave to report as follows:

That clause "fifteen" of said bill be amended as follows: For the Asylum for Feeble Minded Children and Solders' Orphans' Home, for putting in gas fixtures and fire escapes, two thousand dollars.

That the "eighteenth" clause of said bill be stricken out, and the following inserted in lieu thereof: For the purpose of buying record books, and for paying for recording the contents of all muster in and muster out rolls on file in the office of the Adjutant General, embracing Indiana regiments, companies and batteries in the war with Mexico and the war of the Rebellion, two thousand dollars, to be paid when the Governor shall certify that the work has been fully completed.

That the following items be added to the bill:

25. To David V. Burns, the sum of four hundred dollars; and to Caleb S. Denny, the sum of two hundred dollars, in full for their services rendered in the case of the State of Indiana, in the relation of the Auditor of State against the county of Johnson.

26. That Calvin Cowgill and Otto B. Pettitt, as administrators of John Pettitt's estate, be allowed the sum of three hundred and sixty dollars for forty-five days' services as Special Judges in the Circuit Courts of Indiana, in the year 1878.

27. That there be appropriated the sum of \$1,300 to Mathew M. Campbell, in full compensation for extra services as teacher in the Indiana State University, and that the same shall be in full satisfaction of his claim for said services.

That the seventeenth clause in said bill be stricken out.

29. That Cyrus T. Nixon and Orson M. Tyler be each allowed the sum of six hours' extra work per day, for three hundred days' work, as Clerks to the Board of Revision of Laws in printing statutes of 1881.



30. To J. H. Warder, for measuring walls of the Hospital for the Insane in accordance with contract with the Provisional Board.

31. That George H. Fleming be allowed the sum of \$500, for six hours' extra work per day for two hundred and fifty days, as proof-reader for the Board of Revision of Laws in preparing and printing the Revised Statutes of 1881.

32. To Wm. W. Schlater, Principal Secretary of Senate of 1881, for preparing list of bills in the Senate Journal, as required by law, \$200.

33. That the following be added to the "eleventh" clause of said bill:

For the purchase of three and one-third acres of ground adjoining the State Prison South, \$3,333, and for the purpose of building a brick wall in lieu of the present wooden wall and extending the prison inclosure to take in two acres of the ground so purchased, \$35,000.

And recommend the passage of the bill.

SPANN, Chairman.

Senator Voyles offered the following amendment to the report of the committee:

I move to strike out the clause that gives an appropriation to the Talbot Brothers.

VOYLES.

Which was adopted.

Senator McIntosh moved that the report of the committee be considered by items.

It was so ordered.

Senator Ernest, from the Committee on Enrolled Bills, reported as follows:

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 45 with Enrolled Senate Act No. 45, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.



Senator Henry moved to reconsider the vote by which House Bill No 332 was passed.

The Lieutenant Governor announced that he had signed Enrolled Acts of the House Nos. 224 and 286.

Also, Enrolled Acts of the Senate Nos. 189 and 130.

ACTION ON HOUSE BILL NO. 460 CONTINUED.

Clause 15 was read and adopted.

Clause 18 was read and adopted.

Clause 25 was read and adopted.

Clause 26 was read and adopted.

Clause 27 was read.

Senator Henry offered the following amendment to the clause:

*Provided, however,* That this amount shall be paid to said Campbell in person, or to his executor or administrator in person, and not to any one else, upon assignment, power of attorney, or otherwise.

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bichwosky, Brown, Bundy, Campbell, Duncan, Fletcher, Henry, Hill, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, Overstreet, Rahm, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, Willard, Yancey and Youche. Total, 27.

Those voting in the negative were:

Senators Benz, Davidson, Ernest, Faulkner, Foulke, Hilligass, Hoover, McClure, McCulloch, McIntosh, Richardson, and Smith of Jay. Total, 12.

So it was adopted.



The question being, Shall the clause 27, as amended, be adopted?

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Davidson, Duncan, Fletcher, Graham, Henry, Hilligass, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Overstreet, Rahm, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Yancey and Youche. Total, 27.

Those voting in the negative were:

Senators Benz, Ernest, Faulkner, Foulke, Hill, Hoover, Marvin, May, McClure, McCulloch, McIntosh, Richardson, Smith of Jay, Voyles and Willard. Total, 15.

So it was adopted.

Clause 28 was read.

The question being on the motion to adopt clause No. 28.

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Brown, Bundy, Campbell, Fleming, Fletcher, Foulke, Graham, Keiser, Lockridge, Macartney, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, White, Van Vorhis and Youche. Total, 22.

Those voting in the negative were:

Senators Benz, Compton, Davidson, Duncan, Ernest, Faulkner, Henry, Hill, Hilligass, Hoover, Howard, Johnson, Marvin, May, McClure, McCulloch, McIntosh, Rahm, Richardson, Smith of Jay, Voyles, Willard and Yancey. Total, 23.

So the clause was rejected.



Clause 29 was read and adopted.

Senator Brown offered the following amendment to the report of the committee :

That there be and is hereby allowed to David R. Munson, the sum of \$5,264.69, for work and materials furnished for the Hospital for the Insane.

Senator Magee called up House Concurrent Resolution No. 14, and moved to concur in the resolution.

The following message was received from the House by the hands of the Principal Clerk thereof:

I am instructed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 48, in relation to gravel roads, and other matters relating thereto, and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Concurrent Resolution No. 14, resolving that the House and Senate meet in joint convention at 3 o'clock P. M., on Saturday, March 3, 1883, for the purpose of electing a Chief of the Bureau of Statistics, and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 107, relating to powers of attorney, and other matters relating thereto, and the same is herewith transmitted to the Senate.

S. W. EDWINS,  
Principal Clerk.



Also,

MR. PRESIDENT :

I am instructed by the Speaker of the House of Representatives to inform the Senate that the Speaker has signed Enrolled Senate Act No. 45, and the same is herewith transmitted to the Senate.

Also, that the House has passed Engrossed Senate Bill No. 145, providing for a general system of common schools, and other matters relating thereto, and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk,

Also,

MR. PRESIDENT :

I am instructed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 120, relating to the town of Clarksville, with the amendment thereto, and other matters connected therewith.

Also, Engrossed Senate Bill No. 149, for an act authorizing the sale and conveyance of certain land belonging to the State, and other matters relating thereto, and the same are herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

On motion of Senator Spann, the Senate adjourned.



## AFTERNOON SESSION.

MARCH 3, 1883.

The Senate met at 2 o'clock p. m., Lieutenant Governor Hanna in the Chair.

The following messages were received from the House at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House of Representatives has passed Engrossed Joint Resolution No. 2, in relation to the providing for the payment of the claim of Mrs. Edwin May, and other matters connected therewith, and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that the Speaker of the House of Representatives has signed enrolled House acts as follows:

House Enrolled Act No. 380.

House Enrolled Act No. 464.

House Enrolled Act No. 176.

And the same are herewith transmitted to the Senate.

S. W. EDWINS,  
Principal Clerk.



Senator Ernest, from the Committee on Enrolled Bills, reported as follows:

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, enrolled Senate Act No. 151.

March 3, 1883.

JOSHUA ERNEST,  
Chairman.

Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, enrolled Senate Act No. 57.

March 3, 1883.

JOSHUA ERNEST,  
Chairman.

Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, enrolled Senate Act No. 74.

March 3, 1883.

JOSHUA ERNEST,  
Chairman.

Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Act No. 162.

March 3, 1883.

JOSHUA ERNEST,  
Chairman.

Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Act No. 285.

March 3, 1883.

JOSHUA ERNEST,  
Chairman.



Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Act No. 114.

March 3, 1883.

JOSHUA ERNEST,  
Chairman.

Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Act No. 67.

March 3, 1883.

JOSHUA ERNEST.  
Chairman.

Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Act No. 105.

March 3, 1883.

JOSHUA ERNEST,  
Chairman.

Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Act No. 130.

March 3, 1883.

JOSHUA ERNEST,  
Chairman.

Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Act No. 189.

March 3, 1883.

JOSHUA ERNEST,  
Chairman.



Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 149 with Enrolled Senate Act No. 149, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

The following message was received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that he has signed Senate Enrolled Act No. 149.

S. W. EDWINS,  
Principal Clerk.

Senator Voyles offered the following:

I move to take up Senate Bill No. 292, and concur in the House amendments thereto.

VOYLES.

Which was adopted.

Senator Van Vorhis asked permission to have the Journal corrected by recording his vote made in the affirmative on the motion to adopt clause No. 28 on the specific appropriation bill.

Leave was granted and the correction made.

The President of the Senate announced that he had signed enrolled Senate Acts Nos. 149 and 45, and also enrolled House Acts Nos. 464, 380 and 176.

The following messages were received from the House at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker to inform the Senate that the Speaker has signed Senate Joint Resolution No. 2.

S. W. EDWINS,  
Principal Clerk.



Also,

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives has passed engrossed Senate Bill No. 200, for an act to revive an act approved May, 14, 1869, entitled "An act authorizing assessments of lands for road purposes." Also, Senate Engrossed Bill No. 43, for an act fixing the fees and salaries of persons named therein, and the same are herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 250, concerning private corporations and other matters connected therewith, and the same is herewith transmitted to the Senate for its action.

S. W. EDWINS,  
Principal Clerk.

Senator Spann moved that the rules be suspended to offer a resolution.

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Bundy, Campbell, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, Overstreet, Rahm, Ristine, Smith of Delaware, Spann, Van Vorhis, White and Youche. Total, 25.

Those voting in the negative were:

Senators Benz, Davidson, Duncan, Ernest, Faulkner, Hilligass, Hoover, Howard, Johnston, Johnson, May, McClure, Mc-



Culloch, McIntosh, Richardson, Sayre, Smith of Jay, Voyles and Willard. Total, 19.

So the motion was adopted.

The resolution was read as follows:

WHEREAS, The Board of State House Commissioners have recommended additional legislation, the passage of which bill was in their opinion necessary to secure the speedy completion of said building according to the plans and specifications adopted by said Board, and

WHEREAS, Such legislation has been defeated in the House of Representatives, and

WHEREAS, It is of the utmost importance to the tax-payers of the State of Indiana that said building should be completed as speedily as possible, therefore

*Resolved by the Senate, the House of Representatives concurring therein,* That in the event that the present State House contractors do not prosecute the work as fast as the State House Commissioners deem proper, the said Commissioners are hereby authorized to annul said contract and to relet said building to the lowest responsible bidder: *Provided,* That the same shall not be relet at a greater price or sum than two millions of dollars.

SPANN.

The question being, Shall the resolution be adopted?

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Bichowsky, Brown, Bundy, Campbell, Fleming, Fletcher, Graham, Henry, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, Overstreet, Ristine, Smith of Delaware, and Spann. Total, 19.

Those voting in the negative were:

Senators Adkinson, Benz, Compton, Davidson, Duncan, Ernest, Faulkner, Foulke, Hill, Hilligass, Hoover, Howard, John-



ton, Johnson, May, McClure, McCulloch, McIntosh, Rahm, Richardson, Sayre, Voyles, White, Willard and Youche. Total, 25.

So the motion was lost.

The President of the Senate announced that he had signed Joint Resolution No. 2, of the Senate.

Senator Ernest, from the Committee on Enrolled Bills, reported as follows:

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 107 with Enrolled Senate Act No. 107, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 278 with Enrolled Senate Act No. 278, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 145 with Enrolled Senate Act No. 145, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 292 with Enrolled Senate Act No. 292, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.



Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 12 with Enrolled Senate Act No. 12, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

Senator Bundy, from the Committee on Engrossed House Bill No. 359, reported as follows:

MARCH 3, 1883.

MR. PRESIDENT:

We, the special committee to whom was referred Engrossed House Bill No. 359, beg leave to report that we have had the same under due consideration, and recommend to add to section four (4) the following words: "*Provided*, That the terms of this section shall affect no pending suit," and when so amended, that the bill do pass.

VOYLES,  
BUNDY,  
RAHM.

The report was concurred in.

The amendments were read and ordered considered engrossed.

The bill was read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Henry, Hill, Hoover, Howard, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Sayre, Smith of Delaware, Van Vorhis, Voyles, White and Youche. Total, 35.



Those voting in the negative were:

Senators Brown, Faulkner, Foulke, Graham, Johnston and Spann. Total, 6.

So the bill passed.

The title was adopted as read.

Senator Ernest, from the Committee on Enrolled Bills, reported as follows:

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 43 with Engrossed Senate Act No. 43, and find that the same are correctly enrolled.

JOSHUA ERNEST,  
Chairman.

Senator McIntosh moved to suspend the constitutional rule, to take up House Bill No. 110, to read the bill a first and second time by title, a third time by sections, and place it upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Benz, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Marvin, May, McClure, McCulloch, McIntosh, Voyles and Willard. Total, 26.

Those voting in the negative were:

Senators Adkinson, Bell, Bichowsky, Bundy, Fleming, Graham, Henry, Magee, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis and Youche. Total, 15.

So the motion was lost.



Senator Ernest, from the Committee on Enrolled Bills, reported as follows:

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Act No. 145.

March 3, 1883.

JOSHUA ERNEST,  
Chairman.

Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Act No. 149.

March 3, 1883.

JOSHUA ERNEST,  
Chairman.

Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Act No. 278.

March 3, 1883.

JOSHUA ERNEST,  
Chairman.

Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Act No. 45.

March 3, 1883.

JOSHUA ERNEST,  
Chairman.

Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Act No. 12.

March 3, 1883.

JOSHUA ERNEST,  
Chairman.



Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Act No. 292.

JOSHUA ERNEST,  
Chairman.

The following messages were received from the House at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker to inform the Senate that the Speaker has signed Senate Enrolled Act No. 278; Senate Enrolled Act No. 145; Senate Enrolled Act No. 12; Senate Enrolled Act No. 292.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed Senate Engrossed Bill No. 174, for an act concerning the Supreme Court, and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Senator Lockridge called up House Bill No. 429, and moved that the constitutional rule be suspended, the bill be read a first and second time by title, a third time by sections and placed upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Henry, Hill, Hilligass, Hoover, Howard,



Hutchinson, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Ristine, Sayre, Smith of Jay, Voyles and Youche. Total, 38.

No Senator voted in the negative.

The constitutional rule was suspended.

The bill was read a first and second time by title, a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Faulkner, Fleming, Fletcher, Foulke, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Ristine, Sayre, Smith of Delaware, Van Vorhis, Voyles and Willard. Total, 38.

No vote in the negative.

So the bill passed.

The title was adopted as read.

The President of the Senate announced that he had signed enrolled acts of the Senate Nos. 278, 292, 12 and 145.

Senator Keiser moved that House Bill No. 55 be taken up, the constitutional rule be suspended, that the bill be read a first and second time by title, a third time by sections and place it upon its passage.

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Fleming, Fletcher, Foulke,



Henry, Hill, Hilligass, Howard, Hutchinson, Johnson, Keiser, Lockridge, Rindley, Macartney, Marvin, May, McClure, McCulloch, Overstreet, Rahm, Ristine, Sayre, Smith of Delaware, Van Vorhis, White and Willard. Total, 34.

Those voting in the negative were :

Senators Faulkner, Hoover and Johnston. Total, 3.

So the constitutional rule was suspended.

The bill was read a first and second time by title, read a third time by sections, and placed upon its passage.

The ayes and nays were taken, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Faulkner, Fleming, Fletcher, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnson, Keiser, Lockridge, Lindley, Macartney, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Sayre, Smith of Delaware, Van Vorhis and Youche. Total, 35.

No Senator voted in the negative.

So the bill passed.

Senator Keiser offered the following as a title to the bill :

MR. PRESIDENT :

I move to amend the title of House Bill No. 55, so as to read as follows :

A bill for an act entitled "An act to prevent the sale of impure butter, and the keeping on any table at any hotel or boarding house of impure butter, providing penalties and declaring an emergency.

KEISER.

The title was adopted as read.



Senator Duncan, from the Committee on Claims, reported as follows :

MR. PRESIDENT :

Your committee to which was referred the resolution and claim of Louis Reibold, for rent of rooms at Bates House for use of Senate committees during session, recommend that the claim be allowed in the sum of \$450.

E. P. RICHARDSON,  
Chairman.

Which was adopted.

Senator Ernest, from the Committee on Enrolled Bills, reported as follows:

MR. PRESIDENT :

Your Committee on Enrolled Bills have compared Engrossed Senate Bill No. 200 with Enrolled Senate Act No. 200, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

Also,

MR. PRESIDENT :

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 48 with Enrolled Senate Act No. 48, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

Also,

MR. PRESIDENT :

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Bill No. 293.

JOSHUA ERNEST,  
Chairman.

March 3, 1883.



Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Act No. 174.

March 3, 1883.

JOSHUA ERNEST,  
Chairman.

Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Act No. 43.

March 3, 1883.

JOSHUA ERNEST,  
Chairman.

Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Act No. 174 with Enrolled Senate Act No. 174, and find the same correctly enrolled.

Also,

JOSHUA ERNEST,  
Chairman.

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Bill No. 107.

March 3, 1883.

JOSHUA ERNEST,  
Chairman.

Senator Ernest, from the Committee on Enrolled Bills, reported as follows:

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Act No. 293 with Enrolled Senate Act No. 293, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.



The President of the Senate announced that he had signed Enroll'd Acts, Senate, Nos. 43 and 107.

Senator Bell asked leave of absence for Senator Foulke until Monday morning at 10 o'clock, and stated that he was paired with him on all political resolutions, but not on the passage of any bills.

It was so ordered.

The following message was received from the House by the hand of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives has passed Senate Engrossed Bill No. 293, to repeal an act concerning legal advertising, and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives has passed Engrossed Senate Bill No. 229, for an act regulating the transferring of business by express companies in the State of Indiana, and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives has passed Senate Bill No. 289, for an act to amend the drainage law, and House amendments thereto, and the same is herewith transmitted to the Senate for further action thereon.

S. W. EDWINS,  
Principal Clerk.



The question being, Shall the amendments be adopted?

The amendments were rejected.

The bill was read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Bichowsky, Brown, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Graham, Henry, Hutchinson, Johnston, Johnson, Lindley, Macartney, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Smith of Jay, Spann and Youche. Total, 31.

Those voting in the negative were:

Senators Adkinson, Benz, Bundy, Foulke, Hill, Howard, Van Vorhis, Voyles, Willard and Yancey. Total, 10.

So the bill passed.

The title was adopted as read.

Senator Willard moved to take up House Bill No. 227, and suspend the constitutional rule, be read a first and second time by title, a third time by sections, and be placed upon its passage.

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Faulkner, Fleming, Fletcher, Foulke, Henry, Hill, Hilligass, Howard, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, May, McClure, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Van Vorhis, White, Willard and Yancey. Total, 38.

No vote in the negative.

So the constitutional rule was suspended.



The bill was read a first and second time by title and a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Johnson, Lindley, Macartney, May, McClure, McCulloch, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, White, Willard, Yancey and Youche. Total, 35.

No vote in the negative.

So the bill passed.

Title adopted as read.

Senator Sayre moved to take up House Bill No. 293, suspend the constitutional rule, the bill be read a first and second time by title, a third time by sections and be placed upon its passage.

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Graham, Henry, Hill, Hilligass, Hoover, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, May, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Voyles, Willard, Yancey and Youche. Total, 35.

Those voting in the negative were:

Senators Foulke, Marvin and Van Vorhis. Total, 3.

So the constitutional rule was suspended.



The bill was read a first and second time by title :

Senator Willard offered the following amendments :

1. Amend section 6, page 7, by striking out in lines 13 and 14 the words, "or any other table of mortality." Also, amend section 6, in line 3 of page 8, by striking out the word "insure" and inserting the word "insured."

2. Amend section 8, page 10, by striking out in line 1, of said page, the word "annually," and inserting the word "semi-annually;" and also in said line, after the word "before," insert the words "the 28th day of February." Also, in said section, after the words "preceding," in line 6, insert the words "31st day of December, and."

3. Amend section 10, page 12, in lines 3 and 4, by striking out the word "annual," and inserting the word "semi-annual." Also, in line 5 of said page and section, after the word "before," insert the words "the 28th day of February, and."

4. Amend section 15, page 22, in line 4, strike out the word "annual," and insert the word "semi-annual;" also, insert in line 5, same page and section, after the word "dollars," insert the following words: "And such corporation, association, or society, shall procure certificates of authority for its agents, and pay the Auditor of State for them, the same as all regularly organized companies now doing business in this State." Also, in line 7, same page and section after the word "before," insert the following words: "The 28th day of February, and." Also in line 11, same page and section, after the word "made," insert the following words: "And its agents supplied with proper certificates by the Auditor of State."

WILLARD.

Senator Brown moved the previous question.

It was seconded.

The question being, Shall the main question be put?

It was so ordered.



Senator Henry moved to take up House Bill No. 462, that the constitutional rule be suspended, the bill be read a first and second time by title, read a third time by sections, and placed upon its passage.

The ayes and nays were taken, and resulted as follows :

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Fleming, Fletcher, Foulke, Henry, Hill, Hilligass, Hoover, Hutchinson, Johnston, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, McClure, Overstreet, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles and White. Total, 32.

Those voting in the negative were :

Senators Benz, Duncan, Ernest, Faulkner, Johnson, May, McCulloch, McIntosh, Rahm and Willard. Total, 11.

So the motion was lost.

Senator Bell moved to take up House Bill No. 418, to suspend the constitutional rule, to read the bill a first and second time by title, read the bill a third time by sections, and place it upon its passage.

The ayes and nays were taken, and resulted as follows :

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Henry, Hill, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Spann, Van Vorhis, Voyles, Willard and Yancey. Total, 39.

Senator Foulke voting in the negative.

So the constitutional rule was suspended.



The bill was read a first and second time by title, a third time by sections, and placed upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Foulke, Graham, Henry, Hill, Hilligass, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, May, McClure, McCulloch, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Van Vorhis, Voyles, White, Willard and Yancey. Total, 39.

No Senator voting in the negative.

So the bill passed.

The title was adopted as read.

Senator McClure moved to take up Senate Bill No. 120, and concur in the House amendments, as follows:

**ENGROSSED HOUSE AMENDMENTS TO SENATE BILL NO. 120, MARCH 1.**

Amend said bill by striking out all after the word "lots," in line 24, section 2.

GIBSON.

It was so ordered.

Senator Smith, of Jay, moved to take up House Bill No. 280.

The motion was rejected.

Senator Brown moved that when the Senate adjourn it be to meet at 7:30 o'clock P. M.

It was so ordered.



The following messages were received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the Speaker of the House of Representatives to inform the Senate that he has signed House Enrolled Act No. 429, also Senate Enrolled Acts Nos. 293 and 174, and the same are herewith transmitted to the Senate.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am instructed by the Speaker of the House of Representatives to inform the Senate that the Speaker has signed Enrolled Senate Acts Nos. 43 and 107, and the same are herewith transmitted to the Senate.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Senate Bill No. 206, relating to the amount of school fund not loaned out, and other matters relating thereto, and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Senate Bill No. 187, relating to free turnpike roads, and other matters in relation thereto, and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.



Senator Brown moved to take up House Bill No. 91, to consider the reports of the committee thereon, and placed upon its passage, and demanded the previous question.

The demand was not seconded.

The question being on the suspension of the rules.

It was so ordered.

The question being, Shall the minority report be concurred in ?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Bichowsky, Campbell, Compton, Ernest, Faulkner, Henry, Hill, Hilligass, Hoover, Howard, Johnston, Johnson, Lockridge, Marvin, May, McClure, McCulloch, McIntosh, Null, Overstreet, Rahm, Richardson, Ristine, Smith of Jay, Van Vorhis and Youche. Total, 26.

Those voting in the negative were:

Senators Adkinson, Benz, Brown, Bundy, Davidson, Fleming, Fletcher, Graham, Hutchinson, Macartney, Sayre, White and Youche. Total, 14.

So the bill was indefinitely postponed in accordance with the minority report of the committee.

Senator Johnston moved to take up Senate Bill No. 236 and concur in amendments as follows:

It was so ordered.

Amendments read and concurred in.

The President of the Senate announced that he had signed enrolled acts of the Senate Nos. 174 and 293, and enrolled act of the House No. 429.



Senator Adkinson moved to take up Senate Bill No. 42, suspend the constitutional rule, read the bill a second time by title, with the report of the committee thereon, the bill be read a third time by sections and placed upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Henry, Hill, Hilligass, Howard, Johnston, Johnson, Keiser, Lockridge, Macartney, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Richardson, Ristine, Sayre, Smith of Delaware, Voyles, White and Yancey. Total, 35.

No Senator voting in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title, with the report of the committee thereon.

The question being, Shall the minority report of the committee be concurred in?

Senator Brown moved to lay the reports and the bill on the table.

It was so ordered.

Senator Youche moved to concur in House amendments to Senate Bill No. 289.

The amendments were read and concurred in.

The following are the amendments:

#### ENGROSSED HOUSE AMENDMENTS TO SENATE BILL NO. 289, MARCH 3.

Amend section 2 by inserting after line 111, the following:

*Provided*, That in case the County Surveyor shall not be a civil engineer, or is incompetent, the court may designate some competent civil engineer to act instead of the County Surveyor in such case.



The following messages were received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives has passed engrossed Senate Bill No. 178, for an act to establish public libraries, and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am instructed by the Speaker of the House of Representatives to inform the Senate that he has signed enrolled Senate Acts No. 250 and 120.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives has passed engrossed Senate Bill No. 85, for an act concerning public offenses.

Also, House Engrossed Bill No. 457, for an act to allow a bounty for planting willows along the banks of the rivers and streams, etc., and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that the Speaker has signed Enrolled House Acts Nos. 55 and 227.

S. W. EDWINS,  
Principal Clerk.



Also,

MR. PRESIDENT:

I am directed by the House to inform the Senate that the Speaker of the House of Representatives has signed Enrolled Senate Acts Nos. 200 and 48.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives has passed Engrossed Senate Bill No. 217, being an act to enable the Willard Library, of Evansville, Indiana, to sell certain real estate, and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am instructed by the Speaker of the House of Representatives to inform the Senate that he has signed Enrolled House Acts Nos. 418 and 359; also, Enrolled Senate Acts Nos. 229 and 206.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives has passed Senate Engrossed Bill No. 273, for an act concerning foreign insurance companies.

Also, House Engrossed Bill No. 160, to prohibit the bartering, selling, or giving away of questions prepared by the State Board of Education.

And the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.



Also,

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed engrossed Senate Bill No. 193, for an act to amend section 1 of an act concerning Justices of the Peace, and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution No. 8, relating to the printing of 10,000 copies of the Road and Ditch Law, the Decedent Estate Law, and the Dog Law, as enacted by this General Assembly, and the same is herewith transmitted to the Senate for its action thereon.

Also, That the House has passed engrossed House Bill No. 280, relating to the duties of Township Trustees, and other matters connected therewith, and the same is herewith transmitted to the Senate for its action thereon.

Also, That the Speaker of the House has signed House Enrolled Act No. 31.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Engrossed House Bill No. 170, relating to the sale of escheated estates, and other matters relating thereto, and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House of Representatives has passed Engrossed House Bill No.



149, relating to an act concerning proceedings in civil cases, and other matters relating thereto, and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am directed by the Speaker of the House of Representatives to inform the Senate that he has signed Enrolled Senate Act No. 236, and the same is herewith returned to the Senate.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives has passed Engrossed Senate Bill No. 244, to legalize certain records in the office of County Recorders; also, Senate Bill No. 47, for the establishment of public libraries in certain cases, and the same is herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Senator Macartney moved to take up House Bill No. 31, to suspend the constitutional rule, read the bill a first and second time by title, a third time by sections, and placed upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators, Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Faulkner, Fleming, Fletcher, Henry, Hilligass, Hoover, Howard, Johnson, Keiser, Lockridge, Lindley, Macartney, Marvin, May, McClure, Mc-



Culloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Van Vorhis, Voyles, White, Willard and Yancey. Total, 37.

Senator Hill voted in the negative.

So the constitutional rule was suspended.

The bill was read a first and second time by title, and a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Hill, Hoover, Johnson, Keiser, Lockridge, Lindley, McCulloch, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Van Vorhis, White, Willard and Yancey. Total, 28.

Those voting in the negative were:

Senators Faulkner, Henry, Howard, Marvin, May, McClure, McIntosh. Total, 7.

The bill passed.

The title was adopted as read.

Senator Bichowsky moved to take up House Bill No. 372, suspend the constitutional rule, read a first and second time by title, a third time by sections, and be placed upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Graham, Henry, Hill, Hilligass, Hoover, Howard, Johnson, Keiser,



Lockridge, Lindley, Macartney, May, McClure, McCulloch, Overstreet, Rahm, Richardson, Ristine, Sayre, Van Vorhis, White, Yancey and Mr. President. Total, 34.

Those voting in the negative were:

Senators Marvin and McIntosh. Total, 2.

So the constitutional rule was suspended.

The bill was read a first and second time by title, and a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bell, Benz, Bichowsky, Campbell, Compton, Duncan, Davidson, Ernest, Faulkner, Fleming, Fletcher, Graham, Henry, Hill, Hilligass, Hoover, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Marvin, May, McClure, McCulloch, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Van Vorhis, White, Yancey and Mr. President. Total, 36.

Senator Voyles voted in the negative.

So the bill passed.

The title was adopted as read.

Senator Ernest, from the Committee on Enrolled Bills, reported as follows :

MR. PRESIDENT :

The Committee on Enrolled Bills have compared engrossed Senate Bills No. 206 and 229 with enrolled Senate Acts No. 206 and 229, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

On motion, the Senate adjourned.



## EVENING SESSION.

MARCH 3, 1883.

The Senate met at 7:30 p. m., Lieutenant Governor Hanna in the Chair.

Senator Bundy moved to take up Joint Resolution of the House No. 1, read it a first and second time by title, a third time by sections, and put it upon its passage.

Senator May, from the Committee on Claims, reported as follows :

MR. PRESIDENT :

Your Committee on Claims, to whom was referred the resolution of Senator Voyles, have had the same under consideration, and a majority of said committee recommend the adoption of the resolution allowing Albert J. Kelley and Harry C. Huffstetter the sum of \$300 each, for the purposes named in said resolution.

E. P. RICHARDSON

Chairman.

The report of the committee was concurred in.

The question being, Shall the resolution of Senator Voyles be adopted?

It was adopted.

Senator Bundy again moved to take up House Joint Resolution No. 1, suspend the constitutional rule, and place it upon its passage, and demanded the previous question.

Senator Bell moved to lay the motion of Senator Bundy on the table.

The ayes and nays were demanded and taken, with the following result:



Those voting in the affirmative were:

Senators Bichowsky, Brown, Compton, Davidson, Ernest, Faulkner, Fletcher, Hill, Hilligass, Howard, Johnston, Johnson, May, McClure, McCulloch, Rahm, Smith of Jay, Van Vorhis, Voyles, White, Willard and Yancey. Total, 22.

Those voting in the negative were:

Senators Adkinson, Benz, Bundy, Campbell, Duncan, Fleming, Graham, Henry, Hoover, Keiser, Lockridge, Macartney, McIntosh, Overstreet, Ristine, Sayre, Spann and Yancey. Total, 18.

So the motion was laid upon the table.

Senator Bell stated that he was paired with Senator Foulke particularly on this question, that if he was not he would vote aye, and that if Senator Foulke was present he would vote no.

Senator Ernest, from the Committee on Enrolled Bills, reported as follows:

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Acts Nos. 200, 48, 120, 250.

JOSHUA ERNEST,  
Chairman.

March 3, 1883.

Senator Ernest, from the Committee on Enrolled Bills, reported as follows:

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Acts Nos. 120 and 250 with Enrolled Senate Acts Nos. 120 and 250, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.



Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Acts Nos. 48 and 200.

March 3, 1883.

JOSHUA ERNEST,  
Chairman.

Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Acts Nos. 206 and 229.

March 3, 1883.

JOSHUA ERNEST,  
Chairman.

Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 236 with Enrolled Senate Act No. 236, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 217 with Enrolled Senate Act No. 217, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Acts Nos. 217 and 236.

March 3, 1883.

JOSHUA ERNEST,  
Chairman.



Also,

MR. PRESIDENT:

The Committee on Enrolled Bills have placed in the hands of His Excellency, Governor Porter, Enrolled Senate Act No. 236.

JOSHUA ERNEST,

March 3, 1883.

Chairman.

The Lieutenant Governor announced that he had signed Enrolled Acts of the House Nos. 227 and 55, and Enrolled Acts of the Senate Nos. 200, 250, 48 and 120.

The Lieutenant Governor announced that he had signed Enrolled Acts of the Senate Nos. 206 and 229, and Enrolled Acts of the House Nos. 418 and 359.

House Bill No 460 was taken up.

The question being, Shall the amendment of Senator Brown be adopted?

Said amendment is as follows:

The previous question being ordered and put.

The ayes and nays were demanded and taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Duncan, Fleming, Fletcher, Graham, Keiser, Lockridge, Lindley, Macartney, Marvin, McClure, Overstreet, Rahm, Ristine, Spann, Van Vorhis, Voyles, White, Willard and Yancey. Total, 24.

Those voting in the negative were:

Senators Campbell, Compton, Davidson, Ernest, Faulkner, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Magee, May, McCulloch, McIntosh, Richardson and Sayre. Total, 18.

So the amendment was adopted.



Senator Bell moved that the amendments to the bill be considered engrossed.

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Campbell, Davidson, Duncan, Fleming, Fletcher, Graham, Henry, Hoover, Lockridge, Lindley, Macartney, Magee, Marvin, McClure, Overstreet, Ristine, Sayre, Spann, Van Vorhis, Voyles, White and Yancey. Total, 28.

Those voting in the negative were:

Senators Compton, Ernest, Faulkner, Hill, Hilligass, Howard, Johnston, Johnson, May, McCulloch, McIntosh, Rahm, Richardson, Ristine, Willard and Youche. Total, 15.

So the motion prevailed.

The bill was read a third time.

And the question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Campbell, Davidson, Duncan, Fleming, Fletcher, Johnson, Keiser, Lockridge, Lindley, Macartney, Marvin, McClure, Overstreet, Rahm, Ristine, Sayre, Spann, Van Vorhis, Voyles, White and Yancey. Total, 24.

Those voting in the negative were:

Senators Compton, Ernest, Faulkner, Graham, Henry, Hill, Hilligass, Hoover, Howard, Johnston, Magee, May, McCulloch, McIntosh, Richardson, Smith of Jay, and Willard. Total, 17.

So the bill passed.

The title was adopted as read.



Senator Magee called up House Concurrent Resolution No. 14, and Senator Bell moved to amend as follows: "That convention be held at 8 o'clock P. M."

The amendment was adopted.

The resolution, as amended, was adopted.

Senators Willard and Bundy were appointed a committee to inform the House.

Senator Fletcher moved to take up House Bill No. 338, to suspend the constitutional rule, to read the bill a first and second time by title, a third time by sections, and place it upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Davidson, Duncan, Faulkner, Fletcher, Hill, Hoover, Hilligass, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Rahm, Smith of Jay, Voyles and Willard. Total, 20.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Brown, Bundy, Campbell, Compton, Ernest, Fleming, Graham, Henry, Howard, Keiser, Lockridge, Lindley, Macartney, Overstreet, Ristine, Sayre, Spann, Van Vorhis, White, Yancey and Youche. Total, 24.

So the motion was lost.

Senator May moved to take up Senate Bill No. 168, suspend the constitutional rule, that it be read a second time by title, ordered considered engrossed, be read a third time by sections, and placed upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Faulkner, Fleming,



Fletcher, Graham, Henry, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnson, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Ristine, Sayre, Smith of Jay, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 42.

No vote in the negative.

So the constitutional rule was suspended.

A committee from the House notified the Senate that the House was ready to receive the Senate in Joint Convention for the purpose of electing a Chief of the Bureau of Statistics, and the Senate proceeded in a body to the hall of the House of Representatives for that purpose.

Senator McCulloch moved to take up House Bill No. 270, to suspend the constitutional rule, to read the bill a first and second time by title, a third time by sections, and place it upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senator Bell, Benz, Brown, Bundy, Campbell, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Graham, Henry, Hill, Hilligass, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Jay, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total 39.

No Senator voted in the negative.

So the constitutional rule was suspended.

The bill was read a first and second time by title, a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Brown, Bundy, Campbell, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Graham, Henry,



Hill, Hilligass, Johnston, Johnson, Lindley, Magee, Marvin, May, McClure, McCulloch, McIntosh, Rahm, Smith of Jay, and Willard. Total, 27.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Campbell, Fleming, Graham, Henry, Hill, Keiser, Lockridge, Macartney, Overstreet, Ristine, Sayre, Spann, Van Vorhis, Voyles, White and Yancey. Total, 18.

So the motion prevailed.

Senator Smith, of Jay, moved to set aside the regular order of business, to take up Senate Bill No. 280, to concur in the amendments, and place it upon its passage.

The ayes and nays were taken, and resulted as follows :

Those voting in the affirmative were :

Senators Bell, Benz, Bundy, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hilligass, Howard, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Jay, Spann, Van Vorhis, Voyles, White Willard, Yancey and Youche. Total, 39.

No Senator voted in the negative.

So the bill passed.

The title was adopted as read.

The reports of the committee were read.

The question being, Shall the minority report be adopted ?

Senator Brown moved the previous question.

It was so ordered.

The question being, Shall the main question be put ?

It was so ordered.



The question being, Shall the minority report be adopted.

The ayes and nays were taken, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Brown, Bundy, Campbell, Fleming, Fletcher, Graham, Henry, Hill, Keiser, Lockridge, Macartney, Magee, Marvin, Overstreet, Ristine. Sayre, Spann, Van Vorhis, White, Yancey and Mr. President. Total, 22.

Those voting in the negative were :

Senators Bell, Benz, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Hilligass, Hoover, Howard, Johnston, Johnson, May, McClure, McCulloch, McIntosh, Rahm, Smith of Jay, Voyles and Willard. Total, 21.

So the motion prevailed.

The bill was read a second time by title.

Senator May offered the following amendment:

SECTION —. That this act shall not be construed so as to affect any litigation or suits now pending.

MAY.

Which was adopted, ordered considered engrossed, and read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows :

Those voting in the affirmative were :

Senators Benz, Brown, Campbell, Davidson, Duncan, Ernest, Fleming, Fletcher, Graham, Henry, Hill, Hilligass, Hoover, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Richardson, Ristine, Sayre, Smith of Jay, Van Vorhis, White, Willard, Yancey and Youche. Total, 35.

No Senator voted in the negative.

So the bill passed.

The title was adopted as read.



Senator Bell moved to take up House bill No. 420, to suspend the constitutional rule, to read the bill a first and second time by title, a third time by sections, and place it upon its passage.

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Campbell, Compton, Davidson, Duncan, Fleming, Fletcher, Graham, Henry, Hilligass, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Jay, Van Vorhis, Voyles, White and Willard. Total, 35.

Those voting in the negative were:

Senators Bundy, Ernest, Faulkner, Hill, Johnston, Spann and Yancey. Total, 7.

So the constitutional rule was suspended.

The bill was read a first and second time by title, a third time by sections.

And the question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Campbell, Compton, Davidson, Ernest, Fleming, Fletcher, Henry, Hilligass, Howard, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Jay, Van Vorhis, Voyles, White and Willard. Total, 33.

Those voting in the negative were:

Senators Benz, Bundy, Faulkner, Hill, McIntosh, Spann and Yancey. Total, 8.

So the bill passed.

The title was adopted as read.



Senator Bundy moved that an Enrolling Clerk (Majors) employed by the Secretary be paid one week's services at the same rate as other clerks, to-wit: \$5 per day.

It was so ordered.

Senator Ristine, from the Conference Committee on Senate Bill No. 88, reported as follows:

MR. PRESIDENT:

Your Committee of Free Conference on Senate Bill No. 88 have had the same under consideration and have agreed to recommend, and do recommend, that the House recede from its amendment to said bill, and that the following amendment be made, viz.: Strike out the words "offenders against the criminal laws of the State" where the same occur in lines 9 and 10, of page 4, of said bill, and insert in lieu thereof the word "felons."

D. C. BRYANT,  
R. WILSON SMITH,  
T. H. RISTINE,  
R. C. BELL.

The report was adopted.

Senator White moved to take up House Bill No. 160, suspend the constitutional rule, read the bill a first and second time by title, a third time by sections, and be placed upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Faulkner, Fleming, Henry, Hill, Hilligass, Johnston, Johnson, Keiser, Lockridge, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Ristine, Sayre, Smith of Jay, Spann, Van Vorhis, Voyles, White and Willard. Total, 35.

No Senator voted in the negative.

So the constitutional rule was suspended.



The bill was read a first and second time by title, and a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows :

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Campbell, Compton, Davidson, Duncan, Faulkner, Fleming, Graham, Hill, Hilligass, Howard, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Richardson, Sayre, Van Vorhis, Voyles, White, Willard and Youche. Total, 34.

No Senator voting in the negative.

So the bill passed.

• The title was adopted as read.

Senator Willard called up Concurrent Resolution of the House No. 1, as follows:

*Resolved, by the House of Representatives, the Senate concurring therein, That the Secretary of State be and is hereby instructed to have 10,000 copies of the road and ditch law, as enacted by this General Assembly, printed at as early a day as possible, and have them distributed to the members and Senators, and to the Township Trustees of the State.*

SCHLOSS.

Also, the following amendments:

MR. SPEAKER:

I move to amend by including the dog law.

SHOCKNEY.

MR. SPEAKER:

I move to amend the amendment by including the decedent estate law.

SHIVELY.

Which, on motion, was concurred in by the Senate.



Senator Bell was given consent to offer Senate Bill No. 295, entitled:

A bill for an act supplemental to an act entitled an act to repeal an act entitled an act concerning legal advertising in certain cases, and repealing all laws in conflict therewith, and declaring an emergency, approved March 1, 1883, approved March 3, 1883, construing the same, and reviving all laws repealed by the said repealed act of March 1, 1883.

Which was read a first time.

Senator Bell moved that the constitutional rule be suspended and the bill be read a second time by title, that it be ordered considered engrossed, read a third time by sections, and placed upon its passage.

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Campbell, Compton, Davidson, Duncan, Fleming, Fletcher, Henry, Hill, Hilligass, Hoover, Howard, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Ristine, Sayre, Spann, Van Vorhis, White, Yancey and Youche. Total, 36.

Senator Ernest voted in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title, ordered considered engrossed, and read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, with the following result:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Faulkner, Fleming, Fletcher, Henry, Hill, Johnston, Johnson, Keiser, Lockridge, Lindley,



Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Rahm, Ristine, Sayre, Spann, Van Vorhis, White, Willard and Yancey. Total, 35.

Senator Howard voting in the negative.

So the bill passed.

The title was adopted as read.

The following messages were received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker to inform the Senate that the Speaker has signed the following enrolled acts:

Nos. 193, 273, 178, 47, 85 and 34.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am directed by the Speaker of the House of Representatives to inform the Senate that he has signed Enrolled House Acts Nos. 372 and 420.

S. W. EDWINS,  
Principal Clerk.

Senator Van Vorhis moved to take up House Bill No. 161, to suspend the constitutional rules, read the bill a first and a second time by title, the third time by sections, and placed upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Campbell, Davidson, Duncan, Ernest, Fleming, Fletcher, Graham, Hilligass, Hoover, Johnston, Johnson, Keiser, Lockridge,



Lindley, Macartney, Marvin, May, McClure, McIntosh, Rahm, Ristine, Sayre, Spann, Van Vorhis, Voyles, White, Yancey and Youche. Total, 34.

Those voting in the negative were:

Senators Faulkner and Hill. Total, 2.

So the constitutional rules were suspended.

The bill was read a first and second time by title, the third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Brown, Campbell, Davidson, Duncan, Ernest, Fleming, Fletcher, Graham, Henry, Hilligass, Hoover, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Marvin, May, Overstreet, Rahm, Richardson, Ristine, Sayre, Smith of Delaware, Van Vorhis, White and Yancey. Total, 31.

Those voting in the negative were:

Senators Smith of Jay, Spann and Willard. Total, 3.

So the bill passed.

Title adopted as read.

The following messages were received from the House at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that the Speaker has signed House Enrolled Acts Nos. 160 and 270.

Also,

S. W. EDWINS,  
Principal Clerk.

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that the Speaker has signed Senate Enrolled Act No. 217.

S. W. EDWINS,  
Principal Clerk.



The President of the Senate announced that he had signed Enrolled Act of the Senate No. 236, and Enrolled Act of the House No. 31.

Senator Henry withdrew his motion, heretofore made, to reconsider the vote by which the Senate adopted the report of the Conference Committee on House Bill No. 302.

Senator Rahm moved to take up Senate Bill No. 119, to suspend the constitutional rule, to read the bill a second time by title, with the report of the committee thereon, to read it a third time by sections, and place it upon its passage.

The ayes and nays were taken, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bell, Benz, Brown, Bundy, Campbell, Compton, Duncan, Ernest, Faulkner, Fleming, Fletcher, Henry, Hill, Hilligass, Johnson, Keiser, Lockridge, Lindley, Macartney, Marvin, May, McCulloch, McIntosh, Rahm, Richardson, Ristine, Sayre, Smith of Jay, Spann, Van Vorhis, Voyles, White and Yancey. Total, 34.

Senator McClure voted in the negative.

So the constitutional rule was suspended.

The bill was read a second time by title, ordered considered engrossed and read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Benz, Bichowsky, Brown, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Graham, Hill, Hilligass, Hoover, Johnson, Lockridge, Lindley, Macartney, May, McClure, McIntosh, Rahm, Richardson, Ristine, Sayre, Spann, Voyles, White and Yancey. Total, 31.



Those voting in the negative were :

Senators Bundy, Henry and Marvin. Total, 3.

So the bill passed.

The title was adopted as read.

Senator Lockridge moved that House Bill No. 397 be taken up, that the constitutional rule be suspended, that it be read a first and second time by title, a third time by sections, and placed upon its passage.

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Graham, Henry, Hill, Hilligass, Hoover, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, Rahm, Richardson, Ristine, Sayre, Spann, Van Vorhis, Voyles, White, Willard and Yancey. Total, 36.

No Senator voting in the negative.

So the constitutional rule was suspended.

The bill was read a first and second time by title, a third time by sections.

And the question being, Shall the bill pass?

The ayes and nays being taken resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Graham, Henry, Hill, Hilligass, Hoover, Howard, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Marvin, May, McClure, McCulloch, Richardson, Ristine, Sayre, Spann, Van Vorhis, Voyles, White, Willard and Yancey. Total, 35.

Senator Faulkner voted in the negative.

So the bill passed.

The title was adopted as read.



Senator Marvin asked and obtained leave of absence for the remainder of the session.

Senator Keiser moved to take up House Bill No. 53 and to suspend the rules.

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bundy, Campbell, Compton, Davidson, Duncan, Fleming, Fletcher, Graham, Henry, Hill, Hilligass, Hoover, Howard, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, McClure, Rahm, Richardson, Ristine, Sayre, Spann, Van Vorhis, Voyles, White, Willard, Yancey and Youche. Total, 34.

No vote in the negative.

So the rules were suspended.

The bill was read a first and second time by title, the report of the committee was adopted, the bill was read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Brown, Bundy, Campbell, Compton, Davidson, Ernest, Fleming, Fletcher, Henry, Hill, Hilligass, Hoover, Howard, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, May, McClure, Rahm, Richardson, Ristine, Sayre, Spann, Van Vorhis, Voyles, White, Yancey, and Youche. Total, 34.

No Senator voting in the negative.

So the bill passed.

The title was adopted as read.

The President of the Senate announced that he had signed Enrolled Acts of the House Nos. 270 and 160.



Senator Voyles moved to take up House Bill No. 105, to suspend the constitutional rule, read the bill a first and second time by title, a third time by sections, and place it upon its passage.

The ayes and nays were taken, with the following result:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Henry, Hill, Hilligass, Hoover, Howard, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, McClure, Rahm, Richardson, Ristine, Sayre, Van Vorhis, Voyles, White, Yancey and Youche. Total, 34.

No Senator voting in the negative.

So the constitutional rule was suspended.

House Bill No. 105 was read twice by title only, the third time by sections.

Senator Brown moved to lay the bill on the table.

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Benz, Bichowsky, Brown, Bundy, Compton, Davidson, Fleming, Fletcher, Henry, Hill, Johnston, Johnson, Lockridge, Lindley, Magee, May, Rahm, Richardson, Ristine, Spann, Van Vorhis, Yancey and Youche. Total, 24.

Those voting in the negative were:

Senators Adkinson, Campbell, Duncan, Ernest, Hilligass, McClure, McIntosh, Sayre, Voyles and White. Total, 10.

So the motion prevailed.



Senator Sayre moved to take up House Bill No. 149, to suspend the constitutional rule, to read the bill a first and second time by title, a third time by sections, and placed upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Graham, Henry, Hill, Hilligass, Hoover, Johnston, Johnson, Lockridge, Lindley, Macartney, May, McClure, Rahm, Richardson, Sayre, Spann, Van Vorhis, White, Willard, Yancey and Youche. Total 34.

Senator Magee voted in the negative.

So the constitutional rule was suspended.

The bill was read a first and second time by title, a third time by sections.

And the question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Brown, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Graham, Henry, Hill, Hilligass, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, May, Richardson, Ristine, Sayre, Spann, Van Vorhis, Voyles, White and Youche. Total, 31.

Those voting in the negative were:

Senators Henry and McClure. Total, 2.

So the bill passed.

The title was adopted as read.



The following message was received from the Governor :

EXECUTIVE DEPARTMENT, }  
MARCH 3, 1883. }

*Gentlemen of the Senate:*

I have the honor to appoint, subject to the approval of the Senate, Mrs. Clara Walker, of Marion county, a member of the Board of Managers of the Indiana Reformatory Institution for Women and Girls, to serve as such for a term of four years from the 7th day of March, 1883.

A. G. PORTER,  
Governor.

Also, the following :

EXECUTIVE DEPARTMENT, }  
MARCH 3, 1883. }

*Gentlemen of the Senate:*

I have the honor to appoint, subject to the approval of the Senate, Mrs. Eliza C. Hendricks, of Marion county, a member of the Board of Managers of the Indiana Reformatory Institution for Women and Girls, to serve as such for a term of four years from the 7th day of March, 1883.

A. G. PORTER,  
Governor.

Senator Bell moved that the appointments be confirmed.

It was so ordered.

Senator May moved to take up House Bill No. 280, to suspend the constitutional rule, and place the bill upon its passage.

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Graham, Henry, Hill, Hilligass, Hoover, Howard, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney,



May, McCulloch, Null, Richardson, Sayre, Spann, Voyles, White and Youche. Total, 34.

No Senator voted in the negative.

So the bill passed.

Senator Voyles moved as follows:

MR. PRESIDENT:

I move to suspend the order of business and take up and adopt the proposition to amend Senate rules, as made by Voyles, and upon that I move the previous question.

VOYLES.

The question being on the adoption of the rule.

The ayes and nays were demanded and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Bell, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Johnston, Johnson, Magee, May, McClure, McCulloch, McIntosh, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 24.

Those voting in the negative were:

Senators Adkinson, Benz, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Keiser, Lockridge, Lindley, McCartney, Ristine, Sayre, Spann, White and Youche. Total, 19.

So the motion was adopted.

Senator Spann gave notice of protest, and asked and obtained leave to file the same Monday.

House Bill No. 280 was read twice by title only, the third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Faulkner, Fleming, Fletcher,



Graham, Henry, Hill, Hoover, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, May, McClure, McCulloch, McIntosh, Rahm, Richardson, Ristine, Voyles, White, Yancey and Youche. Total, 33.

Senator Magee voted in the negative.

So the bill passed.

The title was adopted.

Senator McClure moved to take up House Bill No. 231, to suspend the constitutional rule, and place it upon its passage.

The ayes and nays were taken, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Fleming, Fletcher, Graham, Henry, Hill, Hoover, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, May, McClure, McIntosh, Rahm, Richardson, Ristine, Sayre, Voyles, White, Willard, Yancey and Youche. Total, 34.

No Senator voted in the negative.

So the constitutional rule was suspended..

The bill was read a first and second time by title, report of committee concurred in, and bill read a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Graham, Henry, Hill, Hoover, Howard, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, May, McClure, McIntosh, Rahm, Richardson, Ristine, Sayre, Voyles, White, Willard and Yancey. Total, 34.

No Senator voted in the negative.

So the bill passed.

The title was adopted as read.



Senator Campbell offered the following resolution :

*Resolved by the Senate, the House of Representatives concurring therein, That the State Librarian be authorized to distribute the Adjutant General's reports, which are now deposited in the State Libraries of the State, as they may be called for: Provided, that no library shall be permitted to have more than one set of the reports and provided that at least ten sets of the reports shall be kept in the State Library.*

CAMPBELL.

Which was adopted.

Senator Smith, of Jay, moved to take up House Bill No. 170, to suspend the constitutional rule, the bill be read a first and second time by title, and a third time by sections, and placed upon its passage.

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fleming, Fletcher, Graham, Henry, Hill, Hoover, Howard, Johnston, Johnson, Keiser, Lindley, Macartney, May, McClure, McIntosh, Rahm, Richardson, Ristine, Sayre, Smith of Jay, White, Willard and Yancey. Total, 34.

No Senator voting in the negative.

So the rule was suspended.

The bill was read a first and second time by title, a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Bundy, Campbell, Compton, Davidson, Ernest, Faulkner, Fleming, Fletcher, Graham, Henry, Hilligass, Hill, Hoover, Howard, Johnston, Johnson, Keiser.



Lockridge, Lindley, Macartney, May, McClure, McCulloch, Rahm, Richardson, Ristine, Sayre, Smith of Jay, Spann, White, Yancey and Youche. Total, 34.

No Senator voting in the negative.

So the bill passed.

The title was adopted as read.

The President of the Senate announced that he had signed Enrolled House Act No. 223.

Senator Hilligass moved to take up House Bill No. 313, suspend the constitutional rule, read the bill a first and second time by title, a third time by sections, and place it upon its passage.

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Bundy, Campbell, Compton, Davidson, Duncan, Fleming, Fletcher, Graham, Henry, Hill, Hilligass, Howard, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, May, McClure, McIntosh, Rahm, Sayre, Smith of Jay, Spann, Voyles, White, Yancey and Youche. Total, 34.

No Senator voted in the negative.

So the constitutional rule was suspended.

The bill was read a first and second time by title, and a third time by sections.

The question being, Shall the bill pass?

The ayes and nays were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Bundy, Davidson, Duncan, Fleming, Fletcher, Graham, Henry, Hill, Hilligass, Hoover, Johnson, Keiser, Lockridge, Lindley, Macartney,



Magee, May, McClure, McIntosh, Null, Rahm, Ristine, Sayre, Spann, Van Vorhis, Voyles, White, Yancey and Mr. President. Total, 33.

Senator Johnston voting in the negative.

So the bill passed.

The title was adopted as read.

The President of the Senate announced that he had signed enrolled acts of the Senate 187 and 289.

The following messages were received from the House at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives has passed Senate Bill No. 295 in relation to legal advertising, and the same is herewith transmitted to the Senate for further action thereon.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 260, relating to the incorporation of the town of Darlington, Montgomery county, and other matters relating thereto. Also, Engrossed Senate Bill No. 294, relating to a general index of deed and mortgage records, and other matters relating thereto, and the same are herewith returned to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.



Senator Graham, from the Committee on Corporations, reported as follows, on Senate Bill No. 242:

MR. PRESIDENT:

Your Committee on Corporations, to whom was referred Senate Bill No. 242, report that they have had the same under consideration, and a majority of your committee recommend that said bill do lie upon the table.

GRAHAM,  
For Majority of Committee.

Senator Graham, from the Committee on Judiciary, to whom was referred Senate Bill No. 267, reported as follows:

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Senate Bill No. 267, have had the same under consideration, and a majority of the committee have directed me to return the bill, with the recommendation that the same lie on the table.

GRAHAM.

Senator Graham, from the Committee on Judiciary, on Senate Bill No. 68, reported as follows:

MR. PRESIDENT:

The Committee on Judiciary, to which was referred Senate Bill No. 68, having had the same under consideration, a majority of said committee have directed me to return the bill, with the recommendation that it lie upon the table.

GRAHAM,  
For Committee.

Senator Graham, from the Committee on Judiciary, on House Bill No. 14, reported as follows:

MR. PRESIDENT:

Your Committee on Judiciary, to which was referred House Bill No. 14, having had the same under consideration, direct me to return the bill, with instructions that it lie on the table.

GRAHAM,  
For Committee.



The following message was received from the Governor:

EXECUTIVE DEPARTMENT.

*Gentlemen of the Senate:*

The act of March 7, 1881, establishing a State Board of Health, not having contained an emergency clause, did not take effect until after the adjournment of the General Assembly, hence no nomination of members of the State Board could be made to the last Legislature. As, when the act took effect there was a vacancy with respect to members of the Board, I appointed four members, to-wit: John W. Compton, of Vanderburgh county, W. W. Vinnedge, of Tippecanoe, Joel M. Partridge, of St. Joseph county, and Thaddeus M. Stevens, of Marion county, to serve until the present session of the General Assembly. One of their members having afterward been chosen as Secretary of the Board, I appointed Dr. William Lomax, of Grant county, a member of the Board.

I now respectfully appoint said John W. Compton, W. W. Vinnedge, Joel M. Partridge and William Lomax, members of said State Board of Health, subject to the consent of the Senate, the first named two to serve as such until the last day of February, 1885, and the last two until the last day of February, 1887.

A. G. PORTER,  
Governor.

Senator Bell moved to reconsider House Bill No. 332.

It was so ordered.

Unanimous consent was given to offer the following amendment:

The question being, Shall the bill as amended pass?

The ayes and nays were taken with the following result:

Those voting in the affirmative were:

Senators Adkinson, Bell, Benz, Bichowsky, Brown, Bundy, Campbell, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Graham, Hill, Hilligass, Hoover, Johnston, Johnson,



Keiser, Lockridge, Lindley, Macartney, May, McClure, McCulloch, Rahm, Richardson, Ristine, Sayre, Spann, Voyles, White, Yancey and Youche. Total, 35.

No vote in the negative.

So the bill passed.

The title was adopted as read.

Senator Willard offered a petition on temperance, signed by twenty-five voters of Martin county.

Which was referred to the Committee on Temperance, without reading.

Senator Bundy moved to suspend the constitutional rule, and to pass House Bill No. 3.

The ayes and nays were taken and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bichowsky, Bundy, Compton, Duncan, Graham, Hill, Hilligass, Johnston, Keiser, Lockridge, Lindley, Macartney, Magee, Marvin, May, McClure, McCulloch, McIntosh, Rahm, Richardson, Ristine, Sayre, Voyles and Yancey. Total, 26.

Those voting in the negative were:

Senators Bell, Benz, Davidson, Ernest, Fletcher, Henry, Johnson and Smith of Jay. Total, 8.

So the motion was rejected.

The following messages were received from the House by the hands of the Principal Clerk thereof:

**MR. PRESIDENT:**

I am instructed by the Speaker of the House to inform the Senate that he has signed Enrolled Senate Act No. 289.

S. W. EDWINS,  
Principal Clerk.



Also,

MR. PRESIDENT:

I am directed by the Speaker of the House of Representatives to inform the Senate that he has signed enrolled Senate Act No. 187.

Also, Enrolled House Act No. 223, relating to decedents' estates.

S. W. EDWINS,  
Principal Clerk.

Also,

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed engrossed Senate Bill No. 84, relating to the town of Angola, Steuben county, and other matters relating thereto.

Also, Enrolled Senate Bill No. 288, for an act to amend an act for the incorporation of towns.

And the same are herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Senator Graham, on Senate Bill No. 124, reported as follows:

MR. PRESIDENT:

The Committee on Judiciary, having had under consideration Senate Bill No. 124, recommend that the same be referred to the Committee on Insurance.

R. GRAHAM,  
For Majority of the Committee.

Senator May, on same bill, reported as follows:

MR. PRESIDENT:

Your Committee on Insurance, to whom was referred Senate Bill No. 124, having duly considered the same, beg leave to report said bill back to the Senate, with a recommendation that it be indefinitely postponed.

Respectfully submitted,

H. J. MAY,  
Chairman.



Senator May, from the Committee on Insurance, reported as follows on Senate Bill No. 241:

MR. PRESIDENT:

Your Committee on Insurance, to whom was referred Senate Bill No. 241, having duly considered the same, beg leave to report said bill back to the Senate with a recommendation that it should be indefinitely postponed.

Respectfully submitted,

H. J. MAY,  
Chairman.

Senator McClure, from the Committee on Health, Vital and Other Statistics, reported as follows:

MR. PRESIDENT:

The Committee on Health, Vital and Other Statistics, to whom was referred Senate Bill No. 15, a bill for an act to repeal an act establishing a State Board of Health have had the same under consideration, have directed me to report it back to the Senate and recommend that said bill lie on the table.

McCLURE,  
Chairman.

MR. PRESIDENT:

Your committee to whom was referred Senate Bill No. 245, report recommending that the same do lie on the table.

FLETCHER,  
Chairman.

Senator Fletcher, Chairman of Committee on Temperance, offered the following reports:

MR. PRESIDENT:

Your committee, to whom was referred Senate Bill No. 54, beg leave to report recommending that the same do lie upon the table.

FLETCHER,  
Chairman.



Also,

MR. PRESIDENT:

Your committee, to whom was referred Senate Bill No. 95, beg leave to report recommending that the same lie upon the table.

FLETCHER,  
Chairman.

Senator Ernest, from the Committee on Enrolled Bills, reported as follows:

MR. PRESIDENT:

The Committee on Enrolled Bills have compared engrossed Senate Bill No. 187 with enrolled Senate Act No. 187, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

Senator Ernest, from the same committee reported as follows:

MR. PRESIDENT:

Your Committee on Enrolled Bills report that they have compared enrolled Senate Bill No. 289 with engrossed House Bill No. 289, and find that it is correctly enrolled.

JOSHUA ERNEST,  
Chairman.

The President of the Senate announced to the Senate that he had signed Senate Enrolled Acts of the Senate, viz.: Nos. 47, 84, 85, 178, 273 and 193.

Also, that he had signed House Enrolled Acts Nos. 293, 280, 170, 161, 53, 397, 332 and 149.

Senator Ernest, from the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

The Joint Committee on Enrolled Bills have compared engrossed House Bills Nos. 53, 149, 161, 170, 280, 293 and 397,



with enrolled House Acts Nos. 53, 149, 161, 170, 280, 293 and 397, and find the same correctly enrolled.

JOSHUA ERNEST,  
Of Senate Committee..

W. W. TULEY,  
Of House Committee.

March 3, 1883.

Also, the following report :

MR. PRESIDENT :

The Committee on Enrolled Bills have compared engrossed Senate Bills Nos. 34, 47, 85, 178, 273 and 193, with enrolled Senate Acts Nos. 34, 47, 85, 178, 273 and 193, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

Also, the following report :

MR. PRESIDENT :

The Committee on Enrolled Bills have placed in the hands of his Excellency, Governor Porter, enrolled bills Nos. 288, 295, 260, 294 and 244.

JOSHUA ERNEST,  
Chairman.

March 3, 1883.

Also, the following report :

MR. PRESIDENT :

The Committee on Enrolled Bills have compared engrossed Senate Bill No. 295, with enrolled Senate Act No. 295, and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.



Also the following:

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bills Nos. 244, 294 and 260, with Enrolled Senate Bills Nos. 244, 294 and 260 and find them correctly enrolled.

JOSHUA ERNEST,  
Chairman.

March 3, 1883.

Also, the following:

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Engrossed Senate Bill No. 288 with Enrolled Senate Act No. 288 and find the same correctly enrolled.

JOSHUA ERNEST,  
Chairman.

March 3, 1883.

The President of the Senate announced to the Senate that he had signed Senate Bills Nos. 288, 294, 260 and 244.

We, the undersigned Senators, enter this our protest against the adoption of the new section to the rules of the Senate, offered by Senator Voyles, of Washington county, which reads as follows:

SEC. 61. That, whenever the Senate shall be notified that any bill that originated in the House, and that has passed both branches of the General Assembly, and that has been delivered to the Governor, and that has been by him returned to the House in which it originated, with his objections thereto, and that has been by such reconsidered and passed over the veto of the Governor, all debate, upon whatever subject or question, shall at once cease, and all other business shall be at once suspended, and the Senate shall at once, as if the Senate was operating under the previous question, proceed to consider whether such bill shall pass, notwithstanding such veto of the Governor.

1. Because said rule is arbitrary, unjust, and made for partisan purposes, and to subserve a political end.



2. Because the said rule was made by a majority, for the special purpose of assisting said majority in the passage of an unjust, unwise, unwholesome and vicious law, known as the "Metropolitan Police Bill."

3. Said rule was made by the majority, to assist in the passage of a bill which should be entitled, "A bill to destroy the right of local self-government to the inhabitants of the city of Indianapolis."

4. And because said rule is in plain violation of all known rules of parliamentary law, and rules for the government of deliberative bodies.

JESSE J. SPANN,  
WARREN G. SAYRE,  
S. T. YANCEY,  
F. MACARTNEY,  
EUGENE H. BUNDY,  
D. H. WHITE,  
J. N. KEISER,  
- J. H. LINDLEY,  
R. GRAHAM,  
S. F. LOCKRIDGE,  
J. FLEMING,  
THEO. H. RISTINE,  
L. D. ADKINSON,  
J. W. YOCHE,  
F. J. VAN VORHIS,  
CHARLES L. HENRY,  
MARVIN CAMPBELL,  
G. M. OVERSTREET.

On motion of Senator Benz, the Senate adjourned.

THOMAS HANNA,  
President of the Senate.



## MONDAY MORNING.

MARCH 5, 1883.

The Senate met at 9 o'clock, Lieutenant Governor Hanna in the Chair.

The reading of the Journal was dispensed with for the present time, to be taken up and read at a future time during the day.

Senator Henry offered the following resolution :

*Resolved*, That the Assistant Secretary of the Senate be, and he is hereby authorized to draw his warrant for the sum of \$15 each, in favor of Senators Null, Duncan and Macartney, for expenses and services as members of the Senate Relief Committee.

HENRY.

Which was adopted.

Senator Spann offered the following resolution :

*Resolved*, That Wm. M. Greenslade, who has kept the Journal so well, is hereby allowed \$1 per day extra during the session, and that the President of the Senate is hereby authorized to draw his warrant therefor.

SPANN.

Senator Henry offered the following amendment :

MR. PRESIDENT :

I move to amend by striking out the words, Who has kept the Journal so well.

HENRY.

Senator McCulloch moved to lay the amendment on the table.

The ayes and nays were demanded by Senators McCulloch and May, and taken, with the following result :



Those voting in the affirmative were :

Senators Duncan, Ernest, Hill, Johnson, Magee, May, McClure, McCulloch, McIntosh, Overstreet and Richardson. Total, 11.

Those voting in the negative were:

Senators Adkinson, Benz, Bichowsky, Bundy, Campbell, Davidson, Fleming, Graham, Henry, Hilligass, Hoover, Hutchinson, Lockridge, Lindley, Macartney, Marvin, Ristine, Sayre, Spann, Van Vorhis, Voyles, Willard and Yancey. Total, 23.

So the motion was laid on the table.

The amendment was agreed to.

The question being on the adoption of the resolution as amended.

The ayes and nays were demanded by Senators McIntosh and Benz, and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Benz, Bundy, Davidson, Fleming, Fletcher, Graham, Henry, Hilligass, Hoover, Lockridge, Lindley, Macartney, Ristine, Sayre, Spann, Van Vorhis, Voyles, Willard, Yancey and Youche. Total, 20.

Those voting in the negative were:

Senators Adkinson, Campbell, Duncan, Ernest, Hill, Hutchinson, Johnson, Keiser, Magee, Marvin, May, McClure, McCulloch, McIntosh, Overstreet and Richardson. Total, 16.

So the resolution was adopted.

Senator Ristine offered the following resolution :

WHEREAS, Peter H. Pernot, File Clerk, has rendered this Senate extra labor in compiling the Senate Calendar, and in revising the same every Saturday during this session ; therefore,

*Resolved*, That he be allowed the sum of sixty-five dollars, and the President of the Senate is hereby authorized to draw his warrant for the same.

RISTINE.



The ayes and nays were demanded by Senators Spann and Van Vorhis, and being taken resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Duncan, Fleming, Fletcher, Henry, Hilligass, Hutchinson, Lockridge, Lindley, Macartney, Ristine, Sayre, Smith of Jay, Spann, Voyles, Willard, Yancey and Youche. Total, 19.

Those voting in the negative were:

Senators Bichowsky, Campbell, Davidson, Ernest, Faulkner, Graham, Hill, Hoover, Johnson, Marvin, May, McClure, McCulloch, McIntosh, Overstreet, Richardson and Spann. Total, 17.

So the resolution was adopted.

Senator Spann filed a protest against the adoption of Senate Rule No. 61, notice of which he gave on Saturday.

Which the Lieutenant Governor ordered spread on the minutes of that day.

Senator Willard offered the following resolution:

*Resolved*, That John J. Lingle, who has been an efficient clerk upon the Journal, be, and he is hereby allowed one dollar per day during the session, as an extra allowance, and the President of the Senate is authorized to draw his warrant therefor.

The question being on the adoption of the resolution.

The ayes and nays were demanded by Senators Faulkner and McCulloch, and taken with the following result:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bichowsky, Brown, Bundy, Compton, Fletcher, Graham, Henry, Lockridge, Lindley, Macartney, Sayre, Spann, Van Vorhis, Voyles, White, Willard and Yancey. Total, 19.



Those voting in the negative were:

Senators Davidson, Duncan, Ernest, Faulkner, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Magee, May, McClure, McCulloch, McIntosh, Overstreet and Richardson. Total, 17.

So the resolution was adopted.

Senator Bundy presented petitions on the temperance question.

Which were referred to the Committee on Temperance, without reading.

Senator Marvin offered the following resolution:

WHEREAS, The Senate is about to adjourn *sine die*, and no President *pro tem.* having been selected, be it therefore

*Resolved*, That Senator Rufus Magee be and he is hereby chosen President *pro tempore* of the Senate.

MARVIN.

Senator Benz moved to strike out "Rufus Magee" and insert the words "James H. Willard."

Senator Bell moved to postpone action on the resolution until 2'clock P. M.

The ayes and nays were demanded by Senators Benz and Henry, and, being taken, resulted as follows:

Those voting in the affirmative were:

Senators Bell, Brown, Compton, Davidson, Duncan, Ernest, Fletcher, Hilligass, Howard, Hutchinson, Johnston, Marvin, May, McClure, McIntosh, Richardson, Voyles and Willard. Total, 17.

Those voting in the negative were:

Senators Adkinson, Benz, Bichowsky, Bundy, Campbell, Faulkner, Fleming, Graham, Henry, Hill, Hoover, Johnson, Keiser, Lockridge, Lindley, Macartney, Overstreet, Ristine, Sayre, Spann, Van Vorhis, White, Yancey and Youche. Total, 24.

So the motion was rejected.



The question being, Shall the amendment be adopted?

The ayes and nays were demanded by Senators Youche and Campbell, and, being taken resulted as follows:

Those voting in the affirmative were:

Senators Bell, Benz, Duncan, Ernest, Hill, Hilligass, Hutchinson, Johnston, Johnson, Magee, McClure, McCulloch, Richardson and Voyles. Total, 13.

Those voting in the negative were:

Senators Adkinson, Bichowsky, Brown, Bundy, Campbell, Davidson, Faulkner, Fleming, Fletcher, Graham, Henry, Hoover, Keiser, Lockridge, Lindley, Macartney, Marvin, May, McIntosh, Ristine, Sayre, Spann, Van Vorhis, White, Willard, Yancey, Youche and Mr. President. Total, 27.

So the amendment was rejected.

The resolution was adopted.

Senator Graham offered the following resolution:

*Resolved*, That there is hereby allowed E. H. Wells the sum of one dollar for each day of the present session, in addition to what he has already received, and the President of the Senate is hereby directed to draw his warrant in favor of said Wells for the sum of \$61.00.

GRAHAM.

Which was adopted.

Senator Henry offered a petition on the subject of firearms.

Which was referred to a committee of one.

The President of the Senate offered the following reports from the Committee on Revision of the Journal:

MR. PRESIDENT:

We, the Committee on the Supervision and Inspection of the Journal, beg leave to make the following report: We have examined the Senate Journal of Monday, February 12, 1883, and find it correct.

COLUMBUS JOHNSTON,  
Acting Chairman of Committee.



MR. PRESIDENT:

We, the Committee on Supervision and Inspection of the Journal, beg leave to make the following report: We have examined Senate Journal of Wednesday, February 14, 1883, and find it correct.

COLUMBUS JOHNSTON,  
Acting Chairman of Committee.

MR. PRESIDENT:

We, the Committee on the Supervision and Inspection of the Journal, beg leave to make the following report: We have examined Senate Journal of Thursday, February 15, 1883, and find it correct.

COLUMBUS JOHNSTON,  
Acting Chairman of Committee.

MR. PRESIDENT:

The Committee on Supervision and Inspection of the Journal beg leave to report as follows: We have examined Senate Journal of Friday, February 16, 1883, and find it correct.

COLUMBUS JOHNSTON,  
Acting Chairman of Committee.

MR. PRESIDENT:

We, the Committee on Supervision and Inspection of the Journal beg leave to make the following report: We have examined Senate Journal of Monday, February 19, 1883, and find it correct.

COLUMBUS JOHNSTON,  
Acting Chairman of Committee.

MR. PRESIDENT:

We, the Committee on Supervision and Inspection of the Journal, beg leave to make the following report: We have examined Senate Journal of Tuesday, February 20, 1883, and find it correct.

COLUMBUS JOHNSTON,  
Acting Chairman of Committee.



MR. PRESIDENT:

We, the Committee on Supervision and Inspection of the Journal beg leave to make the following report: We have examined the Senate Journal of Wednesday, February 21, 1883, and find it correct.

COLUMBUS JOHNSTON,  
Acting Chairman of Committee.

MR. PRESIDENT:

The Committee on Supervision and Inspection of the Journal beg leave to make the following report: We have examined the Journal of Thursday, February 22, 1883, and find it correct.

COLUMBUS JOHNSTON,  
Acting Chairman of Committee.

MR. PRESIDENT:

Your Committee on Supervision and Inspection of the Journal beg leave to make the following report: We have examined Senate Journal of Friday, February 23, 1883, and find it correct.

COLUMBUS JOHNSTON,  
Acting Chairman of Committee.

MR. PRESIDENT:

Your Committee on Supervision and Inspection of the Journal beg leave to make the following report: We have examined Senate Journal of Saturday, February 24, 1883, and find it correct.

COLUMBUS JOHNSTON,  
Acting Chairman of Committee.

MR. PRESIDENT:

Your Committee on Supervision and Inspection of the Journal beg leave to make the following report: We have examined Senate Journal of Monday, February 26, 1883, and find it correct.

COLUMBUS JOHNSTON,  
Acting Chairman Committee.



MR. PRESIDENT:

The Committee on Supervision and Inspection of the Journal beg leave to make the following report: We have examined the Senate Journal of Tuesday, February 27, 1883, and find it correct.

COLUMBUS JOHNSTON,  
Acting Chairman Committee.

Senator Marvin introduced a petition from Boone and Clinton counties on the subject of "the militia," which was placed on the files of the Senate.

Senator Spann offered the following resolution:

*Resolved*, That the Auditor of State be, and he is hereby, directed to issue his warrant on the State treasury at the end of the present session, in favor of W. H. Drapier, Stenographic Assembly Reporter, for what may be due him for the Brevier Legislative Reports, at the same price per page per copy as uniformly paid since 1857, to be paid out of funds appropriated for legislative expenses, the number of copies for the current session to be the same as heretofore published, ten copies of each to be forwarded as soon as published to each member of the General Assembly.

The question being on the adoption of the resolution.

The ayes and nays were demanded by Senators McCulloch and Rahm, and taken with the following result:

Those voting in the affirmative were:

Senators Adkinson, Bell, Bichowsky, Brown, Bundy, Campbell, Davidson, Duncan, Fleming, Fletcher, Graham, Henry, Johnson, Keiser, Lockridge, Lindley, Macartney, McClure, Overstreet, Ristine, Sayre, Spann, Van Vorhis, White and Yancey. Total, 25.

Those voting in the negative were:

Senators Benz, Ernest, Faulkner, Hill, Hilligass, Hoover, Hutchinson, Johnston, May, McCulloch, McIntosh, Rahm, Richardson, Voyles and Willard. Total, 15.

So the resolution was adopted.



Senator Bell offered the following resolution:

MR. PRESIDENT:

The Committee on Elections, to whom was referred the accompanying resolution, have had the same under consideration and a majority of the committee have directed me to return the resolution with the recommendation that the following be substituted therefor and adopted.

R. C. BELL,  
Of Committee on Elections.

*Resolved*, That Richard M. Johnson, contestor in the election case of Johnson *vs.* Overstreet, be and is hereby allowed the sum of thirteen hundred and ten dollars for expenses in the contest in said case, as shown by the following items, to-wit:

Cash actually expended.....	\$350 00
Cash paid G. W. Cooper, attorney.....	100 00
Cash paid James V. Mitchell, attorney.....	200 00
Cash paid Cropsey & Cooper, attorneys.....	300 00
Per diem of R. M. Johnson.....	360 00
Total.....	<u>\$1,310 00</u>

And the President of the Senate is hereby authorized to draw his warrants for said amounts.

*Resolved*, That the following persons, John C. Comer, ex-Sheriff of Morgan county, be and is hereby allowed sixty-four dollars and ninety-five cents. Wiley S. Haltom, Sheriff of Morgan county, be and is hereby allowed seventy-eight dollars and sixty-five cents. That John F. Ray, Justice of the Peace of Morgan county, and William Y. Pratt, Justice of the Peace of Morgan county, be allowed seventy-five dollars and five cents. That Henry C. Hodges, Clerk of Morgan county, be and is hereby allowed thirteen dollars and eighty cents. That William M. Neal, Sheriff of Johnson county, be and is hereby allowed sixty dollars and forty cents. That John Owens, Justice of the Peace, and S. C. Brown, be and is hereby allowed fifty-one dollars and six cents. That Thomas Hardin, Clerk of Johnson county, be allowed seven dollars and seventy cents, all being



costs in the contested election case of Johnson *vs.* Overstreet, and the President of the Senate is hereby authorized to draw his warrants for said amounts.

Senator Magee offered the following amendment:

MR. PRESIDENT:

I move to amend the resolution by inserting the words, "five hundred dollars," instead of the words "thirteen hundred and ten dollars."

MAGEE.

Senator Brown moved as a substitute for the amendment: Insert \$500 in addition to mileage and per diem pay.

Which was rejected.

Senator Adkinson offered the following substitute:

MR. PRESIDENT:

I move to amend the amendment by making it \$200 in addition to the per diem.

ADKINSON.

Senator Henry offered the following substitute for resolution and substitute:

*Resolved*, That there be and is hereby allowed to R. M. Johnson the sum of \$500, in full for his per diem and expenses in the contest of Johnson *vs.* Overstreet, and the President of the Senate is hereby directed to draw his warrant accordingly.

HENRY.

Senator Magee withdrew his amendment.

Senator Brown made the following motion:

I move to amend by striking out \$500, and insert \$610.

BROWN.

The amendment was adopted.

The question being on the resolution of Senator Henry, as amended.



The ayes and nays were demanded by Senators Benz and Faulkner, and, being taken, resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Bell, Bundy, Campbell, Davidson, Duncan, Fleming, Fletcher, Foulke, Graham, Henry, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, McClure, McCulloch, Overstreet, Ristine, Van Vorhis, Voyles, White, Willard and Yancey. Total, 30.

Those voting in the negative were:

Senators Benz, Faulkner, Hill, Magee, Marvin, May, McIntosh, Rahm, Richardson, Sayre and Youche. Total, 11.

So the resolution was adopted as amended.

The question recurring on the report of the committee, as amended.

The ayes and nays being demanded by Senators Van Vorhis and Henry, and, being taken, resulted as follows:

Those voting in the affirmative were :

Senators Bell, Bichowsky, Brown, Campbell, Davidson, Duncan, Fleming, Fletcher, Foulke, Graham, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Keiser, Lockridge, Lindley, Macartney, Magee, McClure, McCulloch, Overstreet, Ristine, Voyles, White, Willard and Yancey. Total, 29.

Those voting in the negative were :

Senators Adkinson, Benz, Bundy, Faulkner, Henry, Hill, Marvin, May, McIntosh, Rahm, Richardson, Sayre, Van Vorhis and Youche. Total, 14.

So the report of the committee, as amended, was concurred in.



Senator Bundy offered the following resolution :

*Resolved*, That J. L. West, C. A. Galbraith, Joseph Freidman and Robert Newland be allowed the sum of twenty dollars each for services during this week in finishing up and copying the Journal, and the President of the Senate be authorized to draw his warrant therefor when said services are completed.

BUNDY.

Pending which, Senator Magee moved the Senate adjourn.

The motion prevailed.

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### AFTERNOON SESSION.

MARCH 5, 1883.

The Senate met at 2 o'clock, Lieutenant Governor Hanna in the Chair.

The resolution of Senator Bundy, which was pending at the adjournment of the Senate, was adopted.

Senator Voyles offered the following resolution:

*Resolved*, That F. A. Smith, Reading Clerk of the Senate, be and he is hereby allowed an extra allowance of \$80, and the President of the Senate is hereby authorized to draw his warrant on the Auditor of State for the same.

VOYLES.

Which was adopted.

Senator Davidson offered the following:

*Resolved*, That Vincent L. Kirk be and is hereby allowed the sum of one hundred and twenty-six (126) dollars as salary during the time he was suspended as Doorkeeper of the Senate, being twenty-one days, and that the President be instructed to draw and sign his warrant for the same.

W. H. DAVIDSON.

Which, on motion of Senator Rahm, was laid on the table.



Senator Richardson offered the following resolution:

*Resolved*, That the President of the Senate be requested to draw his certificates for warrants in favor of the following named persons for the amounts named after their respective names, being claims for labor and supplies furnished the Senate and allowed by the committee:

T. H. S. Peck, labor and supplies.....	\$17 85
Albert Schiffing, making keys.....	4 40
Benj. Johnson, washing towels.....	10 00
Charles A. Edmonds, expenses.....	3 79
Total.....	<hr/> \$36 04

Which was adopted.

Senator Ernest offered the following resolution:

*Resolved*, That the Engrossing and Enrolling Clerks of the Senate have our thanks for the prompt and efficient manner in which they have discharged their arduous and responsible duties. And, be it further

*Resolved*, That the names of J. W. Nourse, D. W. Kridges and George Wolfart are worthy especial mention in this connection.

Which was adopted.

Senator Spann offered the following:

*Resolved by the Senate, the House concurring therein*, That the Secretary of State shall have all laws with an emergency clause, passed this session, printed in pamphlet form, in sufficient numbers for distribution to the various counties, and to the members of the General Assembly. To be printed and distributed as soon as it can possibly be done. And the Auditor of State shall draw his warrant on the General Fund for the payment of the same.

SPANN.

Senator Brown moved to lay the resolution on the table.

The ayes and nays being demanded by Senators Bell and Brown, and taken, resulted as follows:



Those voting in the affirmative were :

Senators Bell, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 26.

Those voting in the negative were :

Senators Adkinson, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Macartney, Overstreet, Ristine, Sayre, Spann, Van Vorhis, White, Yancey and Youche. Total, 19.

So the resolution was laid on the table.

Senator Bell, Chairman of the Committee on Elections, reported in the matter of contest which was being read.

The following message was received from the House at the hands of the Principal Clerk thereof :

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed House Bill No. 133, the veto of the Governor to the contrary notwithstanding, and the same is hereby transmitted to the Senate for further action thereon.

S. W. EDWINS,  
Principal Clerk.

By direction of the President of the Senate the message and veto was read.

The following is the veto message of the Governor referred to :

EXECUTIVE DEPARTMENT,  
INDIANAPOLIS, IND., March 5, 1883. }

*Gentlemen of the House of Representatives :*

I return to you, with my objections thereto, House Bill No. 133, commonly known as the Metropolitan Police Bill.

The bill declares that in cities of this State containing 29,000 or more inhabitants, according to the United States census of 1880, there shall be established a Board of Metropolitan Police,



to consist of three Commissioners to be appointed by the Governor, and the Secretary, Auditor and Treasurer of State. One of the Commissioners shall be of "opposite politics" to the other two. It provides that these Commissioners shall have power to appoint a Superintendent of Police, captains, sergeants, detectives, and such other officers and patrolmen as they may deem advisable, to be appointed equally between the two leading political parties. The number of patrolmen is limited to one for each thousand inhabitants. No limit whatever is placed upon the number of captains, sergeants, and detectives. Though they might be made so numerous to gratify party or personal favorites, as to impose a most unjust burden upon the city treasury, the voters of the city can do nothing to regulate their number.

There are but two cities in the State the population of which, as shown by the census of 1880, exceeds 29,000 inhabitants.

They are Indianapolis and Evansville, the city government of which have been, except during great intervals, in the control of officers holding different political opinions from a majority of the members of the present General Assembly. Ft. Wayne, by the census of 1880, contained a population of nearly 27,000 inhabitants. The city government of Ft. Wayne is steadily under the control of officers who agree with the majority of the members of the two Houses of the Legislature in political opinion. Ft. Wayne is not included within the provision of the bill; nor are any of these provisions of the bill which its advocates claim are necessary for good municipal government and fair elections, made applicable to that city, either by the bill itself, or by any other bill which has been before the present Legislature. It is evident, therefore, that the design is for merely party reasons; to deprive the citizens of Indianapolis and of Evansville of the power, through officers chosen by themselves, to appoint their police.

That these are the controlling reasons is placed further beyond doubt by the mode provided for selecting the Commissioners of Police. Instead of appointing two or four officers, equally divided in political opinion, to make the selection, three State officers differing in political opinion from the Governor, are appointed along with him to make the choice. These are



officers, too, who, with the Governor, are eligible under the constitution to re-election at the end of their present terms, and who, naturally desirous of being re-elected, may well be supposed, without meaning to judge them with any disrespect, to be peculiarly susceptible to party bias.

The Commissioners to be selected are not required to be equally divided in political opinion, but are to consist of three persons, one of whom shall be of opposite politics from the other two. It is well known, of course, from the composition of the Board chosen to appoint them, of what politics the majority of the Commissioners will be, and the number required to be of "opposite politics" need not, under the terms of the bill, be a member even of one of the two leading political parties. He may belong to any party opposed in opinion to the majority of the Commissioners, no matter how inconsiderable may be its members.

The Commissioners are required, in appointing the officers and men who shall compose the police, to appoint them "equally between the political parties." This far-sounding phrase will deceive nobody acquainted with the courses of parties. If men are to be chosen as policemen, impartially, the men who chose them must be impartial. When so careful provision is made that they shall not be impartial, it is easy to foresee what will be the real party composition of the police. Those who agree in political opinion with a majority of the Commissioners will be bold, aggressive partisans; those who do not will be afraid to utter their sentiments, lest by doing so they may lose their places.

The citizens of Evansville and Indianapolis are by this bill to be deprived of the political rights which belong to the citizens of Fort Wayne, because a majority of their inhabitants chance to differ in political opinion from a majority of the members of this General Assembly. This majority, claiming to be members of a party favoring popular rights, propose to set the first example in this State of depriving the people of a right to regulate their own local affairs. They have found out, as they suppose, a better way of educating the people for the duty of self-government than by confiding to them the management of their own local concerns. They are better pleased, it



would seem, with the aristocratic forms which give to others than the people the right to determine what is best for the people. I refuse to subscribe to such views. The best governments have faults; but the best government, in the long run, is that which confides to the people the greatest power in regulating their local affairs. The best way to cure the evils of bad local administration, where such evils exist, is to make the people affected by them feel that they will suffer from them until they exert themselves locally to remedy them.

I object to this bill for another reason. It is the beginning, if it shall pass into a law, of party contests at each recurring Legislature to take cities out of the control of a majority of the inhabitants, where a majority in the Legislature differ from them on party questions. Like the scheme to review the old abuse of giving to the Legislature the appointment of the Trustees of our Benevolent and Reformatory Institutions, its inevitable effect will be to increase party wrangling and frenzy in the two houses, to make the real interests of the people subordinate to party triumphs, and to prolong the sessions of the Legislature beyond the limit prescribed by the Constitution for regular sessions of that body.

The present session of the Legislature is an illustration of the effect of this merely partisan legislation. The Constitution of the State gives to the Governor three days, exclusive of Sunday, for the consideration of every bill, after the day it shall have been presented to him. It is a very brief time, even under ordinary circumstances, but especially is it so when, as during the present session, party strife has postponed the passage of nearly all legislation, until the closing hours of the session. Bills enough are now on my table properly to occupy at least a fortnight, in order to be considered with even reasonable care. Yet, because I have not been willing to waive my constitutional right, to deliberate for the brief term of three days upon the provisions of the bill now returned, the two Houses have refused to pass the General Appropriation Bill. They have said, in substance, that they will not allow the State Government to be carried on, if they can prevent it, unless a co-ordinate branch of the government will yield to their will, and surrender a plain and most necessary constitutional right.



It is believed that if this bill shall become a law, the city of Indianapolis will not be able, under the levy and assessment it is now allowed by law to make, to meet its necessary expenses. The city is now operating under an assessment as high as the law allows. The expense of the present police force is stated to me by the Mayor to be \$50,210 a year. The annual expense of the police force provided for by the present bill will be, at a moderate estimate, as I am assured by persons competent to judge, more than \$80,000.

The fourteenth section of the bill now returned is, in my opinion, repugnant to the Constitution. It requires that the fees fixed and allowed to City Marshals "shall be taxed and allowed in all cases where the arrests are made or process served by any of the police force of said cities in favor of said city, and shall be collected in the same manner as other costs are collected, and shall be paid into the City Treasury of said city by the officers or party or person collecting the same, every three months."

Section 12 of article 1 of the Constitution ordains that justice shall be administered "freely and without purchase." In a case which arose under a statute giving a salary to Clerks and Sheriffs, and requiring them to pay all their fees and costs into the County Treasury, Judge Worden said that "while it may be that litigants can be required to pay docket fees, or otherwise contribute to the support of the judiciary in such manner as might be provided by law, it is clear to my mind that they can not be required, through the medium of Clerks and Sheriffs, nominally as for their fees, to put money into the County Treasury, which may be used for general purposes, and as the condition upon which justice can be administered to the litigating parties by the courts of the State." The opinion of Judge Worden was adopted as a true statement of the law in *Fulk vs. The Board of Commissioners of Monroe county*, 46 Indiana, 150. Under that decision it appears that the requirement that the fees allowed to Marshals shall be paid into the City Treasury, is unconstitutional.

For the several reasons above stated I am constrained to return this bill without my approval.

ALBERT G. PORTER.



The Lieutenant Governor then stated the question to be, Shall the bill pass, notwithstanding the veto of the Governor?

The ayes and nays were taken with the following result:

Those voting in the affirmative were:

Senators Bell, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 26.

Those voting in the negative were:

Senators Adkinson, Benz, Bichowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Keiser, Lockridge, Lindley Macartney, Overstreet, Ristine, Sayre, Spann, Van Vorhis, White, Yancey and Youche. Total, 21.

So the bill passed, the Governor's objections to the contrary notwithstanding.

The report of the Committee on Elections, submitted by Mr. Bell, the reading of which was interrupted by the consideration of the Governor's veto message, was taken up and the reading finished. It is as follows:

*Resolved*, That the persons hereinafter named be allowed the amounts respectively named, for services, expenses, etc., in the matter of the contest of Johnson against Overstreet, viz.:

Charles D. Johnson, for services as stenographer, in full		
for per diem, folios of evidence, impression copies and		
stationery .....	\$115	50
Miss Helen Bullard, in full for services as stenographer..	50	00
John Sweeny, expenses in serving attachment .....	7	80
James H. Hinds, expenses in serving subpoenas .....	45	00
D. W. Prosser, witness fees and mileage.....	8	00
H. C. Hodges, " " " " .....	12	00
T. P. A. Phelps, " " " " .....	7	25
W. H. Kennedy, " " " " .....	8	00
John Wersling, " " " " .....	11	00



Jacob A. Zook, witness fees and mileage .....	10 00
Wm. L. Rood,       “       “       “       “ .....	4 85
W. G. Bain,       “       “       “       “ .....	11 00
J. C. Conner,     “       “       “       “ .....	11 00
G. W. Pearse,     “       “       “       “ .....	11 00
E. F. Branch,     “       “       “       “ .....	4 25
W. S. Hatton,     “       “       “       “ .....	4 25
W. H. Tesler,     “       “       “       “ .....	11 00
Wm. Cawdy,       “       “       “       “ .....	4 25
Tice McLane,     “       “       “       “ .....	8 50
John D. Calder,   “       “       “       “ .....	5 50
W. R. Selfridge,  “       “       “       “ .....	5 50
Fred Staff,       “       “       “       “ .....	5 50

And that the President of the Senate be authorized to draw his warrant in favor of each of said persons for the respective amounts so allowed.

R. C. BELL.

Which was adopted.

The following message was received from the House by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the Speaker has appointed upon the part of the House the Hons. W. Shockney and Kester to act with a like committee on the part of the Senate to wait upon his Excellency, the Governor, and ascertain if he has any further communication to present to the General Assembly.

Also, that the House has passed the following concurrent resolution in reference to a street through the State grounds between the Female Reformatory and Washington street, and the same are herewith transmitted to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

Senator Bundy offered a concurrent resolution for accepting the copyright that the Code Commissioners have secured on the



Indiana Revised Statutes of 1881, and authorizing the Secretary of State to sell the same to any person for \$2.00 per volume, for which the Secretary of State shall be entitled to a commission of fifteen cents per copy.

It was adopted.

Senator Johnson offered the following resolution :

MR. PRESIDENT :

I move that the following resolution be adopted :

WHEREAS, From all sections and from nearly every county of the State petitions have come to this General Assembly praying for the abolition of the present system of hiring out the labor of the convicts of our Penitentiaries, and the inmates of our Reformatory Schools and Benevolent Institutions, under contract to the highest bidder.

WHEREAS, A bill passed by this Senate for the regulation of said contract convict labor aims only at modifying the present system, but falls far short of abolishing it and applying the proper remedy for its evils and abuses; and

WHEREAS, The short time of the legislative session prevented this General Assembly from finding the proper remedy for this system, which is admitted to be pernicious to the interests of Indiana manufacturers and Indiana mechanics and working-men;

*Resolved*, That a committee of three Senators, holding over for the General Assembly of 1885, be appointed by the President of the Senate to prepare a bill abolishing the present system of contract convict labor, and substituting a system of employment for the convicts of our penitentiaries and the inmates of our reformatory schools and benevolent institutions, which will not come in competition with Indiana manufactures.

*Resolved*, That the members of said committee of three Senators shall not be entitled to any compensation for services on the committee.

It was adopted.

Senators Johnson, Foulke and Campbell were appointed said committee.



Senator Spann moved that a Committee of two be appointed to wait on the Governor and ascertain if he had any further communications to make to the Senate.

The motion was agreed to.

Senators Spann and Magee were appointed as such committee.

On motion of Senator Yancey, House Concurrent Resolution No. 79 was adopted.

The resolution is as follows:

*Resolved by the House of Representatives, the Senate concurring,* That authority be and is hereby granted for the location and construction of a public highway, sixty feet in width, across the north end of the grounds of the Asylum for the Deaf and Dumb, at a point nineteen chains and ten-hundredths of a chain north of the center of the old National Road.

HOWLAND.

Senator Foulke offered the following resolution:

*Resolved,* That it is the opinion of this Senate that the action of the House of Representatives in failing, without sufficient reason, to pass the General Appropriation Bill during the time allotted for the present regular session, is injurious to the best interests of the people.

Senator Voyles raised the point of order that the resolution was not in order.

The Chair decided that the resolution was in order.

From which Senator Bell appealed.

The following message was received from the House at the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in the



report of the Senate Conference Committee on House Bill No. 302, the same being the General Appropriation Bill, and the same is herewith referred to the Senate for its action thereon.

S. W. EDWINS,  
Principal Clerk.

The following message was received from the House, by the hands of the Principal Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the Speaker of the House of Representatives has signed House Enrolled Act No. 302, the same being the General Appropriation Bill.

S. W. EDWINS,  
Principal Clerk.

Senator Spann moved to adjourn.

The ayes and nays were demanded by Senators Ernest and Smith, of Jay, and were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bischowsky, Bundy, Campbell, Fleming, Foulke, Graham, Henry, Lockridge, Lindley, Macartney, Marvin, May, Overstreet, Ristine, Sayre, Spann, Van Vorhis, White, Yancey and Youche. Total, 21.

Those voting in the negative were:

Senators Bell, Brown, Compton, Davidson, Duncan, Ernest, Faulkner, Fletcher, Hill, Hilligass, Hoover, Howard, Hutchinson, Johnston, Johnson, Magee, Marvin, May, McClure, McCulloch, McIntosh, Rahm, Richardson, Smith of Jay, Voyles and Willard. Total, 25.

So the motion was lost.

The following appeal by Senator Bell was offered, viz.:

*Resolved*, That it is the opinion of this Senate that the action of the House of Representatives in failing, without sufficient



reason, to pass the General Appropriation Bill during the time allotted for the present regular session, is injurious to the best interests of the people.

Whereupon the point of order was made by the Senator from Washington, that the resolution was out of order because it attempted to criticise another and co-ordinate branch of this General Assembly.

Which point of order was, by the Chair, not sustained, but overruled.

Whereupon the undersigned respectfully present this their appeal from said decision of the Chair.

R. C. BELL.

L. B. VOYLES.

Mr. Foulke claiming the floor, Senator Yancey offered the following resolution:

*Resolved*, That John L. Patterson, who has performed the duties of Registry Clerk and Assistant Reading Clerk of the Senate, be allowed one dollar per day extra, and the President of the Senate is hereby authorized to draw his warrant for that amount.

YANCEY.

The ayes and nays were demanded by Senators Benz and McIntosh, and taken, and resulted as follows:

Those voting in the affirmative were:

Senators Brown, Bundy, Compton, Foulke, Henry, Howard, Lockridge, Lindley, Macartney, Marvin, Sayre, Smith of Jay, Spaun, Voyles, White, Willard, Yancey and Youche. Total, 18.

Those voting in the negative were:

Senators Adkinson, Bell, Benz, Bichowsky, Campbell, Davidson, Ernest, Faulkner, Fleming, Fletcher, Hill, Hilligass, Hoover, Hutchinson, Johnston, Johnson, Magee, May, McClure, McCulloch, McIntosh, Null, Overstreet, Richardson, Ristine and Van Vorhis. Total, 26.

So the resolution was rejected.



Senator Foulke claiming the floor, Senator Magee offered the following resolution:

*Resolved*, That the thanks of this Senate are hereby tendered James Gordon Bennett for his magnificent contribution to the fund for the relief of the sufferers occasioned by the recent floods of the Ohio and Wabash rivers, and that the Secretary of this Senate be authorized to transmit to Mr. Bennett a copy of this resolution.

MAGEE.

Which was adopted.

Senator Henry offered the following resolution:

MR. PRESIDENT:

I move the adoption of the following resolution:

*Resolved*, That J. R. Christian be allowed the sum of \$5.50 for mileage, as a witness before the Fees and Salary Committee, and the President of the Senate is hereby directed to issue his warrant accordingly.

HENRY.

Senator Voyles moved to lay it upon the table.

Which was agreed to.

The following resolution was offered by Senator Voyles:

*Resolved*, That Frederick W. Daniels be and he is hereby allowed extra pay in the sum of \$45 for extra services in the post office department of the Senate, and the President of the Senate is authorized to draw his warrant upon the Auditor of State for the same.

VOYLES.

Senator Henry moved that it be laid on the table.

It was agreed to.



The following resolution was offered by Senator Graham:

MR. PRESIDENT:

*Resolved*, That Mrs. L. E. Bundy, the Senate paper folder, be allowed the sum of one dollar (\$1) per day extra for the number of days in the present session of the Legislature, and the President of the Senate is hereby authorized to draw his warrant upon the Auditor of State for the same.

The Lieutenant Governor laid before the Senate the following:

*Gentlemen of the Senate:*

I have drawn warrants on the Auditor of State for the Regular Session, as follows:

L. D. ADKINSON.

Jan.	19.	Certificate No. 89.	Mileage	.....	\$30 00	
Jan.	19.	Certificate No. 90.	Per Diem	.....	100 00	
Feb.	6.	Certificate No. 234.	Per Diem	.....	100 00	
Mar.	1.	Certificate No. 432.	Per Diem	.....	60 00	
Mar.	3.	Certificate No. 437.	Per Diem	.....	106 00	
						\$396 00

R. C. BELI.

Jan.	16.	Certificate No. 61.	Per Diem	.....	\$100 00	
Jan.	30.	Certificate No. 169.	Per Diem	.....	100 00	
Feb.	16.	Certificate No. 318.	Per Diem	.....	100 00	
Mar.	3.	Certificate No. 438.	Per Diem	.....	66 00	
Mar.	3.	Certificate No. 439.	Mileage	.....	47 60	
						\$413 60

JOHN BENZ.

Jan.	9.	Certificate No. 9.	Mileage	.....	\$76 00	
Feb.	10.	Certificate No. 277.	Per Diem	.....	66 00	
Mar.	2.	Certificate No. 432.	Per Diem	.....	300 00	
Mar.	5.	Certificate No. 514.	Allowed by Resolution	.....	15 00	
						\$457 00

FRANCIS BICHOWSKY.

Jan.	20.	Certificate No. 193.	Mileage	.....	\$28 80	
Feb.	16.	Certificate No. 309.	Per Diem	.....	50 00	
Mar.	3.	Certificate No. 440.	Per Diem	.....	316 00	
						\$394 80

JASON B. BROWN.

Feb.	6.	Certificate No. 237.	Mileage	.....	\$24 00	
Feb.	6.	Certificate No. 238.	Per Diem	.....	204 00	
Mar.	3.	Certificate No. 441.	Per Diem	.....	162 00	
						\$390 00



## EUGENE H. BUNDY.

Jan. 31.	Certificate No. 185.	Per Diem . . . . .	\$100 00	
Feb. 23.	Certificate No. 373.	Per Diem . . . . .	50 00	
March 1.	Certificate No. 425.	Per Diem . . . . .	216 00	
March 1.	Certificate No. 423.	Mileage . . . . .	26 40	
				<u>\$392 40</u>

## MARVIN CAMPBELL.

Jan. 30.	Certificate No. 177.	Per Diem . . . . .	\$50 00	
Feb. 16.	Certificate No. 328.	Per Diem . . . . .	25 00	
March 3.	Certificate No. 442.	Per Diem . . . . .	291 00	
March 3.	Certificate No. 443.	Mileage . . . . .	72 00	
				<u>\$453 00</u>

## I. N. COMPTON.

Feb. 24.	Certificate No. 380.	Per Diem . . . . .	\$312 00	
March 3.	Certificate No. 444.	Per Diem . . . . .	54 00	
March 3.	Certificate No. 445.	Mileage . . . . .	22 00	
				<u>\$388 00</u>

## W. H. DAVIDSON.

Feb. 2.	Certificate No. 207.	Mileage . . . . .	\$40 00	
Feb. 3.	Certificate No. 208.	Per Diem . . . . .	180 00	
March 5.	Certificate No. 509.	Per Diem . . . . .	186 00	
				<u>\$406 00</u>

## W. C. DUNCAN.

Jan. 13.	Certificate No. 46.	Mileage . . . . .	\$24 40	
Jan. 15.	Certificate No. 58.	Per Diem . . . . .	25 00	
Jan. 23.	Certificate No. 115.	Per Diem . . . . .	50 00	
Feb. 3.	Certificate No. 218.	Per Diem . . . . .	100 00	
Feb. 22.	Certificate No. 354.	Per Diem . . . . .	50 00	
March 3.	Certificate No. 447.	Per Diem . . . . .	141 00	
March 5.	Certificate No. 515.	Allowed by resolution . . . . .	15 00	
				<u>\$405 40</u>

## JOSHUA ERNEST.

Jan. 15.	Certificate No. 59.	Mileage . . . . .	\$39 20	
Jan. 29.	Certificate No. 166.	Per Diem . . . . .	78 00	
Feb. 1.	Certificate No. 193.	Per Diem . . . . .	22 00	
Feb. 9.	Certificate No. 251.	Per Diem . . . . .	30 00	
Feb. 27.	Certificate No. 432.	Per Diem . . . . .	236 00	
				<u>\$405 20</u>

## C. R. FAULKNER.

Jan. 9.	Certificate No. 7.	Mileage . . . . .	\$32 00	
Jan. 23.	Certificate No. 114.	Per Diem . . . . .	100 00	
Jan. 30.	Certificate No. 171.	Per Diem . . . . .	50 00	
Feb. 8.	Certificate No. 246.	Per Diem . . . . .	50 00	
Feb. 19.	Certificate No. 341.	Per Diem . . . . .	50 00	
Mar. 3.	Certificate No. 448.	Per Diem . . . . .	116 00	
				<u>\$398 00</u>

## JACKSON FLEMING.

Jan. 29.	Certificate No. 165.	Per Diem . . . . .	\$75 00	
Feb. 9.	Certificate No. 252.	Per Diem . . . . .	50 00	
Mar. 2.	Certificate No. 428.	Per Diem . . . . .	50 00	
Mar. 3.	Certificate No. 449.	Per Diem . . . . .	191 00	
Mar. 3.	Certificate No. 450.	Mileage . . . . .	36 00	
				<u>\$402 00</u>



## W. B. FLETCHER.

Jan. 26.	Certificate No. 138.	Per Diem . . . . .	\$100 00	
Feb. 5.	Certificate No. 228.	Per Diem . . . . .	100 00	
Feb. 20.	Certificate No. 343.	Per Diem . . . . .	100 00	
Mar. 3.	Certificate No. 451.	Per Diem . . . . .	66 00	
			<u>366 00</u>	\$366 00

## WILLIAM D. FOULKE.

Feb. 2.	Certificate No. 195.	Per Diem . . . . .	\$180 00	
Mar. 3.	Certificate No. 452.	Per Diem . . . . .	186 00	
Mar. 3.	Certificate No. 453.	Mileage . . . . .	27 20	
			<u>393 20</u>	\$393 20

## ROBERT GRAHAM.

Jan. 16.	Certificate No. 65.	Per Diem . . . . .	\$50 00	
Jan. 24.	Certificate No. 121.	Per Diem . . . . .	50 00	
Feb. 27.	Certificate No. 399.	Per Diem . . . . .	266 00	
Feb. 27.	Certificate No. 400.	Mileage . . . . .	8 80	
			<u>374 80</u>	\$374 80

## CHARLES L. HENRY.

Jan. 16.	Certificate No. 66.	Mileage . . . . .	\$14 40	
Jan. 16.	Certificate No. 67.	Per Diem . . . . .	78 00	
Jan. 30.	Certificate No. 176.	Per Diem . . . . .	84 00	
Feb. 9.	Certificate No. 253.	Per Diem . . . . .	60 00	
Feb. 23.	Certificate No. 370.	Per Diem . . . . .	70 00	
Mar. 2.	Certificate No. 433.	Per Diem . . . . .	74 00	
			<u>380 40</u>	\$380 40

## JAMES HILL.

Jan. 11.	Certificate No. 27.	Mileage . . . . .	\$37 60	
Jan. 26.	Certificate No. 149.	Per Diem . . . . .	30 00	
Feb. 15.	Certificate No. 297.	Per Diem . . . . .	130 00	
Mar. 3.	Certificate No. 454.	Per Diem . . . . .	206 00	
			<u>403 60</u>	\$403 60

## W. J. HILLIGASS.

Jan. 8.	Certificate No. 6.	Mileage . . . . .	\$43 20	
Jan. 20.	Certificate No. 109.	Per Diem . . . . .	100 00	
Feb. 3.	Certificate No. 220.	Per Diem . . . . .	100 00	
Feb. 16.	Certificate No. 324.	Per Diem . . . . .	50 00	
March 3.	Certificate No. 455.	Per Diem . . . . .	116 00	
			<u>409 20</u>	\$409 20

## FRED HOOVER.

Jan. 9.	Certificate No. 8.	Mileage . . . . .	\$40 80	
Jan. 26.	Certificate No. 147.	Per Diem . . . . .	150 00	
Feb. 8.	Certificate No. 243.	Per Diem . . . . .	50 00	
Feb. 13.	Certificate No. 293.	Per Diem . . . . .	50 00	
Feb. 22.	Certificate No. 351.	Per Diem . . . . .	50 00	
March 3.	Certificate No. 456.	Per Diem . . . . .	66 00	
			<u>421 80</u>	\$421 80

## HENRY HOSTETTER.

Jan. 10.	Certificate No. 15.	Mileage . . . . .	\$60 00	
Jan. 18.	Certificate No. 73.	Per Diem . . . . .	100 00	
March 3.	Certificate No. 457.	Per Diem . . . . .	266 00	
			<u>426 00</u>	\$426 00



## F. M. HOWARD.

Jan.	9.	Certificate No. 4.	Per Diem . . . . .	\$50 00	
Jan.	15.	Certificate No. 56.	Mileage. . . . .	14 80	
Jan.	17.	Certificate No. 70.	Per Diem . . . . .	150 00	
Jan.	30.	Certificate No. 170.	Per Diem . . . . .	100 00	
Feb.	7.	Certificate No. 240.	Per Diem . . . . .	60 00	
March	3.	Certificate No. 458.	Per Diem . . . . .	6 00	
				<hr/>	\$380 80

## W. B. HUTCHINSON.

Jan.	9.	Certificate No. 1.	Mileage. . . . .	\$45 60	
Jan.	17.	Certificate No. 69.	Per Diem . . . . .	84 00	
Feb.	1.	Certificate No. 189.	Per Diem . . . . .	90 00	
Feb.	7.	Certificate No. 241.	Per Diem . . . . .	50 00	
Feb.	16.	Certificate No. 310.	Per Diem . . . . .	142 00	
Mar.	5.	Certificate No. 513.	Allowed by Resolution . . . . .	15 00	
				<hr/>	\$446 60

## COLUMBUS JOHNSTON.

Jan.	19.	Certificate No. 103.	Mileage. . . . .	\$40 00	
Feb.	16.	Certificate No. 312.	Per Diem . . . . .	50 00	
Mar.	3.	Certificate No. 459.	Per Diem . . . . .	316 00	
				<hr/>	\$406 00

## FRANCIS JOHNSON.

Feb.	9.	Certificate No. 256.	Per Diem . . . . .	\$200 00	
Feb.	21.	Certificate No. 346.	Per Diem . . . . .	60 00	
Mar.	2.	Certificate No. 430.	Per Diem . . . . .	108 00	
Mar.	2.	Certificate No. 429.	Per Diem . . . . .	25 60	
				<hr/>	\$391 60

## JACOB KEISER.

Jan.	12.	Certificate No. 31.	Mileage. . . . .	\$40 80	
Jan.	12.	Certificate No. 32.	Per Diem . . . . .	60 00	
Jan.	26.	Certificate No. 139.	Per Diem . . . . .	50 00	
Feb.	16.	Certificate No. 308.	Per Diem . . . . .	100 00	
Feb.	27.	Certificate No. 411.	Per Diem . . . . .	156 00	
				<hr/>	\$406 80

## SIMPSON F. LOCKRIDGE.

Jan.	26.	Certificate No. 135.	Per Diem . . . . .	\$100 00	
Feb.	15.	Certificate No. 304.	Per Diem . . . . .	100 00	
Mar.	3.	Certificate No. 460.	Per Diem . . . . .	166 00	
Mar.	3.	Certificate No. 461.	Milgage. . . . .	16 00	
				<hr/>	\$282 00

## JOHN H. LINDLEY.

Feb.	13.	Certificate No. 288.	Mileage . . . . .	\$40 40	
Feb.	13.	Certificate No. 289.	Per Diem . . . . .	100 00	
Mar.	1.	Certificate No. 424.	Per Diem . . . . .	266 00	
Mar.	5.	Certificate No. 515.	Allowed by Resolution . . . . .	15 00	
				<hr/>	\$421 40

## FRANCIS MACARTNEY.

Jan.	10.	Certificate No. 17.	Mileage . . . . .	\$70 00	
Jan.	24.	Certificate No. 119.	Per Diem . . . . .	40 00	
Feb.	1.	Certificate No. 188.	Per Diem . . . . .	130 00	
Feb.	16.	Certificate No. 307.	Per Diem . . . . .	50 00	
Mar.	3.	Certificate No. 462.	Per Diem . . . . .	146 00	
Mar.	5.	Certificate No. 518.	Allowed by Resolution . . . . .	15 00	
Mar.	5.	Certificate No. 527.	Allowed by Resolution . . . . .	15 00	
				<hr/>	\$466 00



## RUFUS MAGEE.

Jan.	31.	Certificate No. 183.	Mileage . . . . .	\$30 80	
Jan.	31.	Certificate No. 184.	Per Diem . . . . .	168 00	
Feb.	19.	Certificate No. 340.	Per Diem . . . . .	114 00	
Mar.	1.	Certificate No. 428.	Per Diem . . . . .	84 00	
				<hr/>	\$396 80

## HENRY MARVIN.

Jan.	10.	Certificate No. 16.	Mileage and Per Diem . . . . .	\$62 80	
Jan.	31.	Certificate No. 181.	Per Diem . . . . .	42 00	
Feb.	24.	Certificate No. 379.	Per Diem . . . . .	84 00	
Feb.	27.	Certificate No. 398.	Per Diem . . . . .	198 00	
				<hr/>	\$386 80

## H. J. MAY.

Jan.	9.	Certificate No. 13.	Mileage . . . . .	\$93 60	
Jan.	19.	Certificate No. 92.	Per Diem . . . . .	100 00	
Feb.	2.	Certificate No. 196.	Per Diem . . . . .	60 00	
Feb.	24.	Certificate No. 378.	Per Diem . . . . .	25 00	
Feb.	28.	Certificate No. 417.	Per Diem . . . . .	151 00	
Mar.	2.	Certificate No. 427.	Per Diem . . . . .	30 00	
				<hr/>	\$489 60

## DAVID McCLURE.

March	3.	Certificate No. 464.	Mileage . . . . .	\$44 00	
March	3.	Certificate No. 463.	Per Diem . . . . .	366 00	
				<hr/>	\$410 00

## J. E. McCULLOCH.

Feb.	16.	Certificate No. 325.	Per Diem . . . . .	\$30 00	
Feb.	27.	Certificate No. 409.	Per Diem . . . . .	336 00	
Feb.	27.	Certificate No. 410.	Mileage . . . . .	62 80	
				<hr/>	\$428 80

## J. P. McINTOSH.

Feb.	23.	Certificate No. 367.	Mileage . . . . .	\$28 00	
Feb.	28.	Certificate No. 416.	Per Diem . . . . .	366 00	
				<hr/>	\$394 00

## L. S. NULL.

Jan.	9.	Certificate No. 11.	Mileage . . . . .	\$53 20	
Jan.	26.	Certificate No. 129.	Per Diem . . . . .	150 00	
Feb.	9.	Certificate No. 258.	Per Diem . . . . .	100 00	
Feb.	26.	Certificate No. 397.	Per Diem . . . . .	116 00	
Feb.	5.	Certificate No. 517.	By Resolution . . . . .	15 00	
				<hr/>	\$434 20

## G. M. OVERSTREET.

Feb.	6.	Certificate No. 230.	Mileage . . . . .	\$8 40	
Feb.	6.	Certificate No. 231.	Per Diem . . . . .	204 00	
Feb.	27.	Certificate No. 401.	Per Diem . . . . .	162 00	
				<hr/>	\$374 40

## WM. RAHM, JR.

Jan.	11.	Certificate No. 28.	Mileage . . . . .	\$72 80	
March	2.	Certificate No. 436.	Per Diem . . . . .	366 00	
				<hr/>	\$438 80



## E. P. RICHARDSON.

Jan.	9.	Certificate No. 10.	Mileage.	\$48 00
Jan.	26.	Certificate No. 144.	Per Diem	50 00
Feb.	5.	Certificate No. 221.	Per Diem	100 00
Feb.	27.	Certificate No. 412.	Per Diem	216 00
				<u>\$414 00</u>

## THEO. H. RISTINE.

Feb.	5.	Certificate No. 227.	Per Diem	\$200 00
March	2.	Certificate No. 434.	Per Diem	166 00
March	2.	Certificate No. 435.	Mileage	18 00
				<u>\$384 00</u>

## WARREN G. SAYRE.

Jan.	12.	Certificate No. 39.	Mileage.	\$36 00
Jan.	12.	Certificate No. 40.	Per Diem	60 00
Jan.	29.	Certificate No. 168.	Per Diem	100 00
Feb.	16.	Certificate No. 316.	Per Diem	100 00
March	3.	Certificate No. 469.	Per Diem	106 00
				<u>\$402 00</u>

## M. C. SMITH.

Jan.	18.	Certificate No. 81.	Per Diem	\$100 00
Feb.	3.	Certificate No. 212.	Per Diem	100 00
Feb.	9.	Certificate No. 259.	Per Diem	50 00
Feb.	24.	Certificate No. 381.	Per Diem	50 00
March	3.	Certificate No. 465.	Per Diem	66 00
March	3.	Certificate No. 466.	Per Diem	21 60
				<u>\$387 60</u>

## JOHN M. SMITH.

Jan.	18.	Certificate No. 79.	Per Diem	\$100 00
Jan.	26.	Certificate No. 150.	Per Diem	50 00
Feb.	8.	Certificate No. 244.	Per Diem	50 00
Feb.	12.	Certificate No. 286.	Per Diem	166 00
Feb.	23.	Certificate No. 360.	Mileage.	42 40
				<u>\$408 40</u>

## J. J. SPANN.

Jan.	9.	Certificate No. 3.	Per Diem	\$100 00
Jan.	12.	Certificate No. 38.	Mileage.	16 00
Jan.	18.	Certificate No. 76.	Per Diem	100 00
Jan.	29.	Certificate No. 164.	Per Diem	100 00
Feb.	5.	Certificate No. 225.	Per Diem	60 00
Feb.	27.	Certificate No. 405.	Per Diem	6 00
				<u>\$382 00</u>

## F. J. VAN VORHIS.

Feb.	3.	Certificate No. 213.	Per Diem	\$130 00
Mar.	3.	Certificate No. 467.	Per Diem	186 00
				<u>\$366 00</u>

## S. B. VOYLES.

Jan.	11.	Certificate No. 23.	Mileage.	\$60 00
Jan.	11.	Certificate No. 23.	Per Diem	60 00
Feb.	1.	Certificate No. 191.	Per Diem	120 00
Feb.	16.	Certificate No. 315.	Per Diem	60 00
Feb.	24.	Certificate No. 384.	Per Diem	126 00
				<u>\$426 00</u>

## D. H. WHITE.

Jan.	26.	Certificate No. 140.	Mileage.	\$64 80
Feb.	13.	Certificate No. 292.	Per Diem	50 00
Feb.	27.	Certificate No. 404.	Per Diem	316 00
				<u>\$420 80</u>



J. H. WILLARD.

Jan.	9.	Certificate No. 2.	Mileage.		\$42 40
Jan.	17.	Certificate No. 72.	Per Diem		90 00
Feb.	2.	Certificate No. 203.	Per Diem		100 00
Feb.	6.	Certificate No. 233.	Per Diem		30 00
Feb.	12.	Certificate No. 284.	Per Diem		30 00
Feb.	20.	Certificate No. 344.	Per Diem		30 00
Feb.	26.	Certificate No. 391.	Per Diem		86 00
					<hr/> \$488 40

S. T. YANCEY.

Jan.	19.	Certificate No. 82.	Mileage		\$8 00
Jan.	19.	Certificate No. 83.	Per Diem		100 00
Jan.	29.	Certificate No. 163.	Per Diem		100 00
Feb.	9.	Certificate No. 254.	Per Diem		100 00
Feb.	16.	Certificate No. 314.	Per Diem		30 00
Feb.	27.	Certificate No. 413.	Per Diem		36 00
					<hr/> \$374 00

J. W. YUCHE.

Jan.	24.	Certificate No. 122.	Per Diem		\$50 00
Feb.	1.	Certificate No. 194.	Per Diem		125 00
Feb.	24.	Certificate No. 387.	Per Diem		25 00
Feb.	27.	Certificate No. 403.	Per Diem		166 00
Feb.	27.	Certificate No. 406.	Mileage.		60 80
					<hr/> \$426 80

THOMAS HANNA.

Jan.	12.	Certificate No. 30.	Mileage		\$16 00
Jan.	12.	Certificate No. 30.	Per Diem		32 00
Jan.	26.	Certificate No. 153.	Per Diem		154 00
Feb.	3.	Certificate No. 217.	Per Diem		16 00
Feb.	8.	Certificate No. 245.	Per Diem		8 00
Feb.	16.	Certificate No. 331.	Per Diem		140 00
Mar.	3.	Certificate No. 468.	Per Diem		138 00
					<hr/> \$504 00

Per Diem of Officers . . . . . \$1,110 00

Per Diem of Employees. . . . . 10,613 00

Allowed by resolution for labor, supplies, witness fees and mileage in Johnson vs. Overstreet contest, rent of rooms at Bates House, extra allowance to employes, etc. (see accompanying ledger filed herewith), the sum of . . . . . 2,925 90

The number of warrants, the specified amounts thereof, are set forth in the accompanying ledger, kept by the Assistant Secretary of the Senate.

THOMAS HANNA.

H. C. HUFFSTETTER,  
Assistant Secretary of the Senate.

Senator Foulke yielded the floor to Senator Spann, who moved that the Senate adjourn.

Which motion was agreed to.

So the Senate adjourned *sine die*, at 3:15 p. m.

THOMAS HANNA,  
President of the Senate.







## SENATE BILLS.

### L. D. ADKINSON—

Appeared and sworn in . . . . .	5
Bills introduced by . . . . .	41, 71, 142, 154, 161, 196
Committees appointed on, standing . . . . .	23
Motions made by . . . . .	457, 516, 647, 836, 867, 900, 980, 1031
Petitions presented by . . . . .	21, 130, 192, 294, 367, 390, 406, 407, 487
Reports made by . . . . .	907
Resolutions offered by . . . . .	194
Mileage of . . . . .	47
Pairs announced . . . . .	403

### R. C. BELL—

Bills introduced by . . . . .	41, 122, 142, 145, 252, 386, 408, 409, 417, 467, 377, 525, 939, 999
Committees appointed on, standing . . . . .	23, 24
Committees appointed on, select . . . . .	625, 934
Motions made by . . . . .	11, 12, 15, 25, 119, 161, 182, 184, 237, 289, 309, 323, 335, 343, 400, 448 [548, 514, 555, 564, 574, 591, 605, 609, 548, 623, 624, 626, 640, 649 [652, 747, 755, 769, 788, 830, 835, 895, 914, 925, 939, 991, 996, 999
Amendments offered by . . . . .	10, 16, 52, 528, 567, 585, 819
Resolutions offered by . . . . .	13, 14, 67, 124, 755, 938, 1030, 1040
Reports made by . . . . .	21, 58, 151, 152, 160, 161, 166, 184, 341, 397, 398, 424, 491, 527, 567, 609 [621, 623, 584, 621, 677, 831, 895
Petitions presented by . . . . .	138, 242
Pairs announced . . . . .	139, 304, 364, 972
Memorials presented by . . . . .	367, 532
Appeals taken by . . . . .	630, 640
Points of order raised by . . . . .	630, 631, 632, 637, 737

### JOHN BENZ—

Appeared and sworn in . . . . .	4
Committees appointed on, standing . . . . .	23, 24
Bills introduced by . . . . .	41, 142, 367, 386, 429, 900
Mileage of . . . . .	47
Reports made by . . . . .	57, 462, 463, 495, 575
Motions made by . . . . .	97, 146, 241, 342, 412, 567, 669, 856, 899
Resolutions offered by . . . . .	101, 322, 373, 949
Petitions presented by . . . . .	136, 146, 202, 325

### JASON B. BROWN—

Nominations made by . . . . .	7
Resolutions introduced by . . . . .	7, 12, 22, 26, 85, 101, 758, 785, 798, 866
Motions made by . . . . .	8, 9, 10, 16, 19, 25, 63, 64, 67, 68, 82, 90, 99, 100, 108, 116, 117, 177, 178 [195, 201, 223, 225, 256, 267, 268, 270, 272, 288, 289, 290, 306, 309, 314, 343, 344 [345, 354, 363, 385, 404, 417, 449, 451, 486, 500, 547, 560, 562, 577, 578, 614, 619 [634, 641, 652, 670, 715, 728, 736, 753, 774, 775, 798, 828, 886, 888, 918, 938, 1031
Bills introduced by . . . . .	8, 42, 71, 122, 199, 247, 342, 345
Reports made by . . . . .	22, 101, 207, 262, 263, 266, 321, 346, 400, 491, 492, 567, 830
Committees appointed on, select . . . . .	22, 226, 473, 747, 786
Committees appointed on, standing . . . . .	23, 24, 59
Mileage of . . . . .	47



**JASON B. BROWN—Continued.**

Memorials offered by . . . . .	54, 324
Claims presented by . . . . .	79
Points of order raised. . . . .	83, 268, 358, 638
Petitions presented by . . . . .	158, 291, 313
Pairs announced . . . . .	247
Amendments offered by . . . . .	304, 560, 652, 761, 955

**FRANCIS BICHOWSKY—**

Committees appointed on, standing . . . . .	23, 24, 59
Bills introduced by . . . . .	42, 248, 345, 386, 501
Reports made by . . . . .	99
Leave of absence asked for by . . . . .	109
Petitions presented by . . . . .	132, 203, 325, 406, 407
Motions made by. . . . .	248, 719, 722, 822
Memorial presented by . . . . .	368

**FRANCIS BICHOWSKY—**

Committees appointed on, standing . . . . .	23, 24, 59
Bills introduced by . . . . .	42, 248, 345, 386, 501
Report made by . . . . .	99
Leave of absence asked for by . . . . .	109
Pairs announced . . . . .	109
Petitions presented by . . . . .	132, 203, 325, 406, 407
Motions made by . . . . .	248, 719, 732, 822
Memorial presented by . . . . .	368

**EUGENE H. BUNDY—**

Nominations made by . . . . .	6, 7
Substitutes offered by . . . . .	8, 638
Amendments offered by . . . . .	16, 455, 650, 659
Committees appointed on, standing . . . . .	23, 24
Motions made by . . . . .	24, 25, 26, 38, 79, 90, 103, 108, 112, 161, 170, 200, 218, 234, 246, 250, 251 [264, 289, 315, 365, 415, 417, 458, 479, 500, 584, 589, 747, 749, 792, 887, 997]
Resolutions offered by . . . . .	59, 272, 425, 1033, 1041
Bills introduced by . . . . .	71, 269, 365, 415, 429, 485, 501, 860
Petitions offered by . . . . .	115, 127, 190, 203, 241, 302, 206, 418, 487
Reports made by . . . . .	150, 193, 208, 259, 280, 264, 485, 492, 493, 964

**MARVIN CAMPBELL—**

Appeared and sworn in . . . . .	5
Resolutions offered by . . . . .	17, 88, 116, 1010
Committees appointed on, standing . . . . .	23, 59
Bills introduced by . . . . .	42, 346, 967, 441
Mileage of . . . . .	47
Petitions offered by . . . . .	325, 421
Motions made by . . . . .	326, 342, 759, 767, 794, 562, 888, 918, 924
Reports made by . . . . .	370, 909

**I. N. COMPTON—**

Nominations made by . . . . .	6
Resolutions offered by . . . . .	22, 58, 82
Committees appointed on, standing . . . . .	23, 24
Motions made by . . . . .	24, 671, 838, 923, 945
Mileage of . . . . .	47
Bills introduced by . . . . .	72, 144, 158, 159, 333
Petitions offered by . . . . .	132, 292, 327
Leave of absence asked for by . . . . .	250, 402
Reports made by . . . . .	339, 393, 395, 453, 466, 874
Committees appointed on, select . . . . .	786



**D. H. DAVIDSON—**

Committees appointed on, standing . . . . .	23, 24, 59
Leave of absence asked for by . . . . .	40
Mileage of . . . . .	47
Leave of absence asked for by . . . . .	—, 68, 113, 774
Bills introduced by . . . . .	122
Petitions presented by . . . . .	136, 292, 315, 327
Reports made by . . . . .	243, 245, 252

**W. C. DUNCAN—**

Appeared and sworn in . . . . .	5
Committees appointed on, standing . . . . .	23, 24, 59
Resolutions offered by . . . . .	44, 63, 381, 383
Bills introduced by . . . . .	42, 94, 118, 142, 145, 387, 501
Mileage . . . . .	47
Motions made by . . . . .	68, 282, 481, 876, 911
Petitions offered by . . . . .	133, 139, 203, 292, 336, 406
Pairs announced . . . . .	177
Reports made by . . . . .	243, 267, 403, 679, 919

**JOSHUA ERNEST—**

Appeared and sworn in . . . . .	5
Committees appointed on, standing . . . . .	23, 24, 59
Bills introduced by . . . . .	43
Mileage of . . . . .	47
Petitions presented by . . . . .	134, 327
Reports made by . . . . .	154, 177, 184, 193, 194, 219, 226, 228, 230, 257, 317, 318, 396, 494, 549 [558, 572, 579, 581, 588, 614, 657, 690, 701, 704, 708, 715, 716, 745, 780, 794 [839, 858, 888, 897, 904, 921, 925, 935, 948, 958, 963, 965, 970, 986, 989, 1019
Pairs announced . . . . .	218, 241
Motions made by . . . . .	510

**C. R. FAULKNER—**

Appeared and sworn in . . . . .	5
Committees appointed on . . . . .	23, 24, 140
Bills introduced by . . . . .	43, 333, 410, 446
Mileage of . . . . .	47
Memorial presented by . . . . .	78, 488
Motions made by . . . . .	79, 323, 833
Reports made by . . . . .	109, 141, 219, 360, 833, 921
Petitions offered by . . . . .	129, 204, 292, 327, 862

**JACKSON FLEMING—**

Appeared and was sworn in . . . . .	5
Committees appointed on, standing . . . . .	23, 24, 59
Mileage of . . . . .	47
Bills introduced by . . . . .	118, 401
Petitions presented by . . . . .	148, 328, 406
Pairs announced . . . . .	578
Reports made by . . . . .	909

**W. B. FLETCHER—**

Appeared and sworn in . . . . .	5
Committees appointed on, standing . . . . .	23, 24
Pairs announced. . . . .	40, 116
Bills introduced by . . . . .	50, 72, 94, 105, 142, 155, 196, 226, 502, 902
Petitions presented by . . . . .	138, 149, 292, 328, 368, 419, 489, 523, 534
Resolutions offered by . . . . .	409, 414
Motions made by . . . . .	604, 712, 872, 946, 992
Amendments made by . . . . .	695
Committee appointed on, select . . . . .	938
Reports made by . . . . .	1017



**DUDLEY W. FOULKE—**

Appeared and sworn in . . . . .	5
Bills introduced by . . . . .	9, 43, 50, 72, 94, 103, 157, 162, 346, 349, 380, 387, 401, 402, 427, 429, 502
Resolutions offered by . . . . .	11, 14, 18, 67, 96, 176, 226, 321, 384, 385, 401
Committees appointed on, standing . . . . .	23, 24, 59
Mileage of . . . . .	47
Demand for previous question . . . . .	70
Leave of absence asked for by . . . . .	72, 111, 516, 774
Motions made by . . . . .	87, 91, 141, 187, 239, 244, 258, 378, 445, 508 [509, 636, 638, 707, 750, 759, 770, 779, 915, 937]
Petitions offered by . . . . .	130, 202, 293, 328, 419, 751
Committees appointed on, select . . . . .	140, 226
Reports made by . . . . .	219, 244, 372, 380, 485, 526, 527, 593
Amendments offered by . . . . .	361, 573, 651, 761

**ROBERT GRAHAM—**

Amendments offered by . . . . .	16, 439, 710, 752
Reports made by . . . . .	21, 151, 163, 188, 218, 223, 260, 319, 461, 493, 536, 543, 701, 1013
Committees appointed on, standing . . . . .	23, 24
Mileage of . . . . .	47
Bills introduced by . . . . .	49, 50, 94, 269, 310, 524
Motions made by . . . . .	49, 53, 109, 235, 270, 321, 323, 440, 458, 459, 485, 576, 585, 593, 598, 775, 910
Resolutions offered by . . . . .	85, 502, 1047
Petitions offered by . . . . .	128, 328, 535
Leave of absence asked for by and pairs announced . . . . .	139, 235, 389
Memorial presented by . . . . .	456

**C. L. HENRY—**

Committee appointed on, standing . . . . .	23, 24, 59
Pairs announced . . . . .	40, 269, 402, 531
Bills introduced by . . . . .	43, 253, 311, 441
Mileage of . . . . .	47
Reports made by . . . . .	99, 290, 309, 321, 334, 351, 352, 549, 634, 840
Petitions presented by . . . . .	115, 146, 241, 294, 315, 328, 460, 1026
Substitutes offered by . . . . .	275, 480
Motions made by . . . . .	389, 405, 412, 452, 453, 458, 477, 545, 586, 610, 733, 768, 820, 829 [854, 857, 896, 930, 953, 967]
Amendments offered by . . . . .	435, 436, 438, 454, 455, 456, 457, 472, 473, 474, 475, 476, 480 [481, 482, 505, 546, 569, 577, 714, 782, 820]
Committees appointed on, select . . . . .	732, 829, 919, 953, 1022
Resolutions offered by . . . . .	1022, 1081, 1046

**J. D. HILL—**

Appeared and sworn in . . . . .	5
Committees appointed on, standing . . . . .	23, 24
Petition presented by . . . . .	137
Reports made by . . . . .	154, 188, 320, 373, 520, 544

**W. J. HILLIGASS—**

Appeared and sworn in . . . . .	5
Resolutions offered by . . . . .	17, 226
Committees appointed on, standing . . . . .	23, 24, 59
Bills introduced by . . . . .	43, 73, 95, 162, 387, 416, 429, 467
Mileage of . . . . .	47
Motions by . . . . .	83, 238, 383, 669, 881, 910, 1011
Reports made by . . . . .	98, 396
Petitions presented by . . . . .	135, 204, 295, 337
Leave of absence asked for by . . . . .	183, 247, 500
Committees appointed on, select . . . . .	307
Amendments offered by . . . . .	439, 383, 470, 471, 476



**F. M. HOWARD—**

Committees appointed on, standing . . . . .	23
Mileage of . . . . .	47
Reports made by . . . . .	99, 537, 542
Pairs announced . . . . .	107, 197
Petitions presented by . . . . .	135, 192, 204, 315
Amendments offered by . . . . .	457
Resolutions presented by . . . . .	734, 736
Motions made by . . . . .	734, 736

**W. B. HUTCHINSON—**

Committees appointed on, standing . . . . .	23, 24
Resolutions offered by . . . . .	38, 40, 865
Committees appointed on, select . . . . .	40
Bills introduced by . . . . .	44, 51, 91
Reports made by . . . . .	47, 194, 317, 371, 372, 464, 537
Motions made by . . . . .	74, 349, 449, 460
Petitions presented by . . . . .	131, 296

**FRED HOOVER—**

Appeared and sworn in . . . . .	5
Committees appointed on, standing . . . . .	23, 24
Petitions presented by . . . . .	131, 150, 296, 329
Reports made by . . . . .	194, 340, 374, 375, 603
Bills introduced by . . . . .	469

**HENRY HOSTETTER—**

Committees appointed on, standing . . . . .	23, 24
Mileage of . . . . .	47

**FRANCIS JOHNSON—**

Appeared and sworn in . . . . .	5
Committees appointed on, standing . . . . .	23, 24
Mileage of . . . . .	47
Petitions offered by . . . . .	132, 204, 418, 461, 518
Resolutions offered by . . . . .	139, 341, 1042
Committees appointed on, select . . . . .	140, 401
Bills introduced by . . . . .	143, 347, 387, 460, 503, 653
Reports made by . . . . .	242, 243, 265, 266, 393, 394, 430, 653, 748
Motions made by . . . . .	274, 344, 342
Amendments offered by . . . . .	472, 473
Pairs announced by . . . . .	531

**A. J. KELLY—**

Elected and sworn in . . . . .	7
Allowed by resolution, \$300 . . . . .	987

**V. P. KIRK—**

Appeared, elected and sworn in . . . . .	7
Re-elected . . . . .	742
Discharged . . . . .	

**JACOB KEISER—**

Committees appointed on, standing . . . . .	23, 24
Mileage of . . . . .	48
Bills introduced by . . . . .	91, 387, 469
Reports made by . . . . .	99, 355, 544, 752
Resolutions offered by . . . . .	101
Petitions presented by . . . . .	119, 297, 337, 420, 461
Motions made by . . . . .	349, 467, 503, 817, 988, 1004
Amendments offered by . . . . .	437, 989



**SIMPSON F. LOCKRIDGE—**

Committees appointed on, standing . . . . .	23, 59
Pairs announced . . . . .	40
Mileage of . . . . .	48
Petitions presented by . . . . .	115, 131, 297, 313
Bills introduced by . . . . .	155, 200
Motions made by . . . . .	220, 342, 719, 874, 967, 1003
Reports made by . . . . .	496

**JOHN H. LINDLEY—**

Appeared and sworn in . . . . .	5
Committees appointed on, standing . . . . .	23, 24
Mileage of . . . . .	48
Petitions presented by . . . . .	135, 329, 518
Bills introduced by . . . . .	199
Committee appointed on, select . . . . .	409
Pairs announced . . . . .	524, 610

**FRANCIS MACARTNEY—**

Committee appointed on, standing . . . . .	23, 24
Bills introduced by . . . . .	44, 51, 91, 155, 428
Mileage of . . . . .	48
Petitions presented by . . . . .	130, 298, 420
Amendments offered by . . . . .	471, 546
Motions made by . . . . .	667, 871, 984

**HEBER J. MAY—**

Appeared and sworn in . . . . .	4
Committees appointed on, standing . . . . .	23, 24, 59
Mileage of . . . . .	48
Bills introduced by . . . . .	92, 95, 143, 155, 253, 310, 333
Amendment offered by . . . . .	123
Motions made by . . . . .	122, 124, 257, 823, 938, 992, 1007
Petitions presented by . . . . .	135, 534
Reports made by . . . . .	337, 538, 604, 830, 967, 1017
Committees appointed on, select . . . . .	524, 786
Pairs announced . . . . .	767

**DAVID McCLURE—**

Appeared and sworn in . . . . .	5
Committees appointed on, standing . . . . .	23, 24
Mileage of . . . . .	48
Petitions presented by . . . . .	137, 204
Bills introduced by . . . . .	156, 467
Reports made by . . . . .	244, 452, 549, 1017
Motions made by . . . . .	790, 1009

**RUFUS MAGEE—**

Appeared and sworn in . . . . .	5
Committees appointed on, standing . . . . .	23, 24, 59
Mileage of . . . . .	48
Bills introduced by . . . . .	91, 93, 103, 197, 199, 377, 388, 416, 508
Resolutions offered by . . . . .	102, 174, 276, 1046
Petitions presented by . . . . .	129, 420, 489
Motions made by . . . . .	141, 189, 225, 227, 351, 365, 378, 458, 485, 551, 580, 594 [624, 641, 657, 659, 717, 778, 830, 861, 873, 882, 905, 955]
Reports made by . . . . .	316, 317, 370, 371, 464, 483
Amendments offered by . . . . .	435, 453, 480, 481, 992
Committees appointed on, select . . . . .	473



**HENRY M. MARVIN—**

Committees appointed on, select . . . . .	8
Reports made by . . . . .	9, 153, 221, 303, 421, 425, 498
Committees appointed on, standing . . . . .	23, 24
Mileage of . . . . .	48
Resolution offered by . . . . .	62
Pairs announced. . . . .	68, 943
Motions made by . . . . .	85, 239, 404, 451, 452, 574, 661, 904
Bills introduced by . . . . .	91, 197, 309
Petitions presented by . . . . .	134, 138, 204, 298
Amendment offered by. . . . .	433

**J. E. McCULLOCH—**

Appeared and sworn in . . . . .	4
Committees appointed on, standing . . . . .	23, 24
Bills introduced by . . . . .	44, 156, 200, 333
Mileage of . . . . .	48
Resolutions offered by . . . . .	112, 169, 360
Petitions presented by . . . . .	149, 205, 303, 672
Reports made by . . . . .	152, 160, 187, 219, 525, 528, 601
Pairs announced. . . . .	229
Leave of absence asked for by . . . . .	380
Motions made by . . . . .	521, 658, 662, 666, 737, 769, 770, 785, 816, 855, 933, 993
Amendments presented by . . . . .	730

**JACOB McINTOSH—**

Appeared and sworn in . . . . .	5
Committees appointed on, standing . . . . .	23, 24
Mileage of . . . . .	48
Resolutions offered by . . . . .	119
Motions made by . . . . .	119, 326, 585, 863, 952
Petitions presented by . . . . .	137, 204, 298, 313, 314, 336, 535
Ayes and nays demanded by . . . . .	267
Committees appointed on, select . . . . .	307
Bills introduced by . . . . .	348
Reports made by . . . . .	538

**H. C. HUFFSTETTER—**

Elected and sworn in . . . . .	7
Allowed by Resolution, \$300. . . . .	987

**COLUMBUS JOHNSTON—**

Appeared and sworn in . . . . .	5
Committees appointed on, standing . . . . .	23, 24
Mileage of . . . . .	47
Bills introduced by . . . . .	95, 143
Petitions presented by . . . . .	137, 297, 390
Reports made by . . . . .	346, 395, 396, 430, 497, 527, 565, 586, 1027
Resolutions offered by . . . . .	705

**L. S. NULL—**

Appeared and sworn in . . . . .	5
Committees appointed on, standing . . . . .	23, 24
Mileage of . . . . .	48
Petitions presented by . . . . .	138
Bills introduced by . . . . .	252, 428, 691
Reports made by . . . . .	318, 375, 462, 463

**CYRUS NIXON—**

Elected and sworn in . . . . .	741
Discharged. . . . .	756



**G. M. OVERSTREET—**

Appeared and sworn in . . . . .	5
Committees appointed on, standing . . . . .	23, 24
Bills introduced by . . . . .	44, 197
Mileage of . . . . .	48
Petitions presented by . . . . .	134, 241, 420, 460
Reports made by . . . . .	223, 227, 320, 541
Pairs announced . . . . .	243
Amendments offered by . . . . .	472
Motions made by . . . . .	891

**WILLIAM RAHM, JR.—**

Committees appointed on, standing . . . . .	23, 24, 59
Mileage of . . . . .	48
Bills introduced by . . . . .	51, 75, 118, 156, 342, 348, 407
Motions made by . . . . .	75, 725, 898, 900, 947, 1002
Petitions presented by . . . . .	150, 299, 329, 418
Reports made by . . . . .	318, 691
Leave of absences asked for by . . . . .	559

**E. P. RICHARDSON—**

Appeared and sworn in . . . . .	4
Committees appointed on, standing . . . . .	23, 24
Mileage of . . . . .	48
Petitions presented by . . . . .	133
Bills introduced by . . . . .	198
Reports made by . . . . .	340, 604
Pairs stated . . . . .	402

**THEO. H. RISTINE—**

Committees appointed on, standing . . . . .	23, 24, 200
Bills introduced by . . . . .	45, 92, 104, 143, 310, 402, 469
Mileage of . . . . .	48
Resolution by . . . . .	83, 101, 1023
Petitions presented by . . . . .	132, 259, 299, 534
Reports made by . . . . .	193, 221, 225, 398, 496, 497, 997
Motions made by . . . . .	200, 386, 864, 887, 934
Leave of absence asked for by . . . . .	219, 386, 404, 413
Substitutes offered by . . . . .	477

**W. G. SAYRE—**

Committees appointed on, select . . . . .	8, 251
Committees appointed on, standing . . . . .	23
Mileage of . . . . .	48
Bills introduced by . . . . .	52, 92, 416, 507
Resolutions offered by . . . . .	64, 83, 385, 898
Motions made by . . . . .	83, 123, 587, 644, 777, 865, 974, 1006
Petitions offered by . . . . .	128, 190, 329, 729
Reports made by . . . . .	308, 705
Amendments offered . . . . .	471

**M. C. SMITH—**

Appeared and sworn in . . . . .	5
Resolutions offered by . . . . .	14
Committees appointed on, standing . . . . .	23, 24
Mileage of . . . . .	48
Petitions presented by . . . . .	128, 205, 299, 329
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Memorials presented by . . . . .	300
Bills introduced by . . . . .	383, 416
Pairs announced . . . . .	515
Motions made by . . . . .	943



**JOHN M. SMITH—**

Appeared and sworn in . . . . .	5
Committees appointed on, standing . . . . .	24, 59, 200
Bills introduced by . . . . .	45, 120, 198, 584
Mileage of . . . . .	48
Petitions presented by . . . . .	137, 301, 460
Pairs announced . . . . .	350
Reports made by . . . . .	355, 376, 417, 444, 497, 549, 550, 565, 566, 597, 720, 775, 808, 836, 909, 924
Amendments offered by . . . . .	454, 506
Motions made by . . . . .	483, 548, 917, 977, 994, 1010

**JESSE J. SPANN—**

Nominations made by . . . . .	6
Motions made by . . . . .	9, 12, 57, 62, 70, 141, 170, 179, 181, 237, 247, 249, 258, 272, 290, 316, 364 [411, 414, 434, 435, 450, 519, 551, 552, 559, 580, 584, 597, 614, 618, 632, 634 [638, 640, 641, 647, 648, 679, 688, 767, 773, 774, 777, 779, 819, 883, 916, 1043
Resolutions offered by . . . . .	10, 39, 63, 84, 106, 126, 175, 177, 182, 226, 273, 785, 932, 962, 1029, 1034
Amendments offered by . . . . .	17, 162, 162, 201, 254, 275, 305, 326, 359, 363 [436, 551, 600, 692, 710, 713
Reports made by . . . . .	21, 245, 686, 874, 951
Committees appointed on, standing . . . . .	23, 24
Pairs announced . . . . .	40, 75, 186, 516
Mileage of . . . . .	48
Committees appointed on, select . . . . .	64, 180, 226, 408, 524, 625, 747
Bills introduced by . . . . .	104, 121, 144, 157, 158, 198, 410
Protest filed . . . . .	114
Petitions presented by . . . . .	129, 189, 190, 206, 301, 337, 351

**F. J. VAN VORHIS—**

Resolutions offered by . . . . .	11, 12, 110
Committees appointed on, standing . . . . .	23, 24
Committees appointed on, select . . . . .	40, 606
Bills introduced by . . . . .	46, 52, 92, 104, 144, 198, 366, 388, 469, 938
Mileage of . . . . .	
Motions made by . . . . .	70, 84, 99, 183, 237, 322, 367, 391, 424, 437, 439, 445, 458, 470, 474, 486 [624: 628, 729, 735, 759, 769, 860, 934, 1000
Amendments offered by . . . . .	140, 165, 169, 239, 322, 437, 438, 456, 457, 659, 899
Reports made by . . . . .	151, 159, 186, 261, 262, 263, 264, 390, 398, 399, 493, 538, 702, 717, 945
Petitions presented by . . . . .	301, 390, 148
Pairs announced . . . . .	392

**S. B. VOYLES—**

Motions made by . . . . .	9, 18, 19, 20, 46, 75, 99, 106, 162, 163, 164, 166, 245, 257, 358, 360, 447, 485 [497, 529, 558, 698, 709, 724, 726, 732, 778, 818, [828, 830, 858, 868, 887, 936, 940, 960, 1005, 1008
Committees appointed on, standing . . . . .	23, 24
Committees appointed on, select . . . . .	40, 180, 520, 524
Mileage of . . . . .	48
Reports made by . . . . .	56, 57, 68, 89, 153, 193, 221, 230, 369, 399, 400, 430, 493, 522, 673, 702, 868, 1033
Resolutions offered by . . . . .	86, 883, 933, 1033, 1046
Pairs announced . . . . .	90, 358, 516, 781
Amendments offered by . . . . .	166, 169, 349, 435, 470, 480, 671, 713, 750, 962
Petitions presented by . . . . .	189, 301
Memorials presented by . . . . .	368

**D. H. WHITE—**

Resolutions offered by . . . . .	17, 26
Committees appointed on, standing . . . . .	23, 24
Mileage of . . . . .	48
Bills introduced by . . . . .	48, 92, 95, 121, 198, 524



D. H. WHITE—Continued.

Petitions presented by . . . . .	329, 514
Amendments offered by . . . . .	453, 559
Motions made by . . . . .	518, 875, 903, 950, 997
Reports made by . . . . .	537
Pair announced . . . . .	729

J. H. WILLARD—

Appeared and sworn in . . . . .	5
Nominations made by . . . . .	6
Motions made by . . . 16, 39, 65, 84, 96, 102, 107, 113, 139, 187, 195, 201, 224, 237, 258, 477, 482, 485 [512, 519, 532, 569, 576, 737, 755, 789, 835, 870, 894, 906]	
Committees appointed on, standing . . . . .	23, 24, 251
Mileage of . . . . .	48
Resolutions offered by . . . . .	62, 77, 100, 139, 162, 268, 1024
Bills introduced by . . . . .	93, 157, 249, 348, 408, 409, 411, 468, 508
Amendments offered by . . . . .	96, 456, 471, 483, 573, 751, 975
Reports made by . . . . .	109, 308, 444, 786, 798
Petitions presented by . . . . .	131, 191, 302, 330, 407, 1015
Points of order raised . . . . .	223, 354, 737
Pairs announced . . . . .	235, 335

S. T. YANCEY—

Resolutions offered by . . . . .	12
Committees appointed on, standing . . . . .	23, 24
Committees appointed on, select . . . . .	40, 226, 307, 524
Mileage of . . . . .	48
Bills introduced by . . . . .	49, 52, 93, 96, 390
Motions made by . . . . .	77, 105, 893, 912
Leave of absence asked for by . . . . .	111
Petitions presented by . . . . .	162, 206, 330, 368, 460
Points of order raised . . . . .	225
Reports made by . . . . .	463
Resolutions offered by . . . . .	92, 1042

J. W. YOCHE—

Appeared and sworn in . . . . .	5
Committee appointed on, standing . . . . .	23, 24
Mileage of . . . . .	48
Bills introduced by . . . . .	49, 93, 122, 144, 145, 157, 159, 199, 330, 718, 721
Motions made by . . . . .	84, 718, 721, 912, 877
Leave of absence asked for by . . . . .	113, 174
Petitions presented by . . . . .	136, 147, 302
Memorial presented by . . . . .	339
Reports made by . . . . .	395, 781



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### MESSAGES FROM THE GOVERNOR—

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Allowing West, Friedman, Galbraith and Newland \$20 extra . . . . .	1033
Allowing H. S. Peck et al., for labor, \$36 . . . . .	1034
Authorizing the printing of acts . . . . .	1034
Allowing witness fees in Johnson <i>vs.</i> Overstreet contest . . . . .	1040
Authorizing the sale of revised statutes . . . . .	1042
In relation to convict labor . . . . .	1042
Authorizing the location of a public road . . . . .	1043
Allowing J. L. Patterson \$1 per day extra . . . . .	1045
Of thanks to James G. Bennett . . . . .	1046
Allowing J. R. Christian \$5.50 as witness fee . . . . .	1046
Allowing F. W. Daniels \$45 extra . . . . .	1046
Allowing Mrs. L. E. Bundy \$1 per day extra . . . . .	1047



## SENATE BILLS.

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		Page.		Page.	Page.	Page.	Page.	
1	Brown . . . . .	8	Benevolent Institutions . .	{ 220 346	254	352	353	Passed.
2	Foulke . . . . .	9	Roads . . . . .	{ 194 351	228	352	352	Passed.
3	Voyles . . . . .	11	County and Tp. Business .	520				
4	Adkinson . . . . .	41	Roads . . . . .	396				
5	Bell . . . . .	41	Revision of Statutes . . .	{ 219 355	256	357	357	Passed.
6	Benz . . . . .	42	Roads . . . . .	{ 193 515	231	569	577	Passed.
7	Bichowsky . . . . .	42	Education . . . . .					
8	Brown, of J'kson . . . . .	42	Judiciary . . . . .	{ 259 781				
9	Bundy, E. H. . . . .	42	Judiciary . . . . .	485				
10	Campbell . . . . .	42	Railroads . . . . .	721				
11	Duncan . . . . .	43	Judiciary . . . . .	150	166			
12	Ernest . . . . .	43	Judiciary . . . . .	160	167	179	179	Passed.
13	Faulkner . . . . .	43	Judiciary . . . . .	153	168			
14	Foulke . . . . .	43	Revision of Statutes . . .					
15	Henry . . . . .	43	Vital Statistics . . . . .	1017				
16	Hilligass . . . . .	43	Judiciary . . . . .	153	168			
17	Hutchinson . . . . .	44	Prisons . . . . .	463	546	579	580	Passed.
18	Macartney . . . . .	44	County and Tp. Business .	544				
19	McCulloch . . . . .	44	Railroads . . . . .	567	721			
20	Overstreet . . . . .	44	Judiciary . . . . .	150	168	180	181	Passed.
21	Rahm . . . . .	45	Corporations . . . . .	370				
22	Ristine . . . . .	45	Roads . . . . .	{ 154 225 355	168 256	180 356	356	Passed.
23	Smith, of Jay . . . . .	45	Judiciary . . . . .	491				
24	Van Vorhis . . . . .	46	Railroads . . . . .					
25	Voyles . . . . .	46			46	46	47	Passed.
26	White . . . . .	49	Board of Health . . . . .					
27	Yancey . . . . .	49	Public Health . . . . .	{ 244 463 496				
28	Youche . . . . .	49	Education . . . . .	{ 243 402	257			
29	Graham . . . . .	50			50	50	50	Passed.
30	Fletcher . . . . .	50	Corporations . . . . .	{ 318 396				
31	Foulke . . . . .	{ 50 985	Education . . . . .	393	985	985	985	Passed.
32	Graham . . . . .	51	Judiciary . . . . .	152	168	180	180	Passed.
33	Hutchinson . . . . .	51	Corporations . . . . .	537				
34	Macartney . . . . .	51	Township Business . . . .	319	668	668	668	Passed.
35	Overstreet . . . . .	51	Corporations . . . . .	318				
36	Rahm . . . . .	51	Corporations . . . . .	317				
37	Ristine . . . . .	52	Judiciary . . . . .	263	413			
38	Sayre . . . . .	52	Corporations . . . . .	318				
39	Van Vorhis . . . . .	52	Corporations . . . . .	540				
40	Voyles . . . . .	52	Roads . . . . .	396				
41	Yancey . . . . .	52	Corporations . . . . .					
42	Adkinson . . . . .	71	Railroads . . . . .	980	980			



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43	Brown . . . . .	71	Fees and Salaries . . . . .	{ 340 492 550	528	578	578	Passed.
44	Bundy . . . . .	71	Prisons . . . . .	371	709	866	866	Passed.
45	Compton . . . . .	72	Banks . . . . .	{ 153 425	168			
46	Fletcher . . . . .	72	Benevolent Institutions . . . . .	{ 265 544	413	582	582	Passed.
47	Foulke . . . . .	73	Education . . . . .	{ 193 372	230	445	564	Passed.
48	Hilligass . . . . .	73	Roads . . . . .	337	76	76	76	Passed.
49	Rahm . . . . .	75	Prisons . . . . .	{ 444 316	431	449	498	Passed.
50	Hutchinson . . . . .	91	Corporations . . . . .	{ 193 264	231	588	588	Passed.
51	Keiser . . . . .	91	Judiciary . . . . .	371				
52	Macartney . . . . .	91	Corporations . . . . .	1017				
53	Magee . . . . .	91	Temperance . . . . .	320				
54	Marvin . . . . .	91	Corporations . . . . .	485				
55	May . . . . .	92	Judiciary . . . . .	{ 400 549	544	587	588	Passed.
56	Ristine . . . . .	92	Judiciary . . . . .	{ 243 527	403			
57	Sayre . . . . .	92	Agriculture . . . . .	909				
58	Smith, of Del . . . . .	92	Corporations . . . . .	261				
59	Van Vorhis . . . . .	92	Judiciary . . . . .	245				
60	White . . . . .	93	Fees and Salaries . . . . .	{ 445 260	412	448		
61	Willard . . . . .	93	Agriculture . . . . .	252				
62	Yancey . . . . .	93	Judiciary . . . . .	242				
63	Youche . . . . .	93	Judiciary . . . . .	{ 497 593	412	593		
64	Magee . . . . .	93	Agriculture . . . . .	{ 159 376	185	446	446	Passed.
65	Bundy . . . . .	94	Judiciary . . . . .	{ 1013 280				
66	Duncan . . . . .	94	Education . . . . .	{ 781 151				
67	Fletcher . . . . .	94	Judiciary . . . . .	{ 221 538	257			
68	Foulke . . . . .	94	Judiciary . . . . .	262				
69	Graham . . . . .	95	Judiciary . . . . .	375	376	376	376	Passed.
70	Hilligass . . . . .	95	Corporations . . . . .	193	{ 228 317			
71	Johnson . . . . .	95	Judiciary . . . . .	151				
72	May . . . . .	95	Organization of Courts . . . . .	{ 221 538	257			
73	Van Vorhis . . . . .	95	Judiciary . . . . .	262				
74	White . . . . .	95	Corporations . . . . .	375	376	376	376	Passed.
75	Yancey . . . . .	96	Corporations . . . . .	193	{ 228 317			
76	Benz . . . . .	103	Judiciary . . . . .	151				
77	Foulke . . . . .	103	Elections . . . . .	706				
78	Magee . . . . .	104	Judiciary . . . . .	430	551	595	595	Passed.
79	Ristine . . . . .	104	Judiciary . . . . .	152				
80	Spann . . . . .	104	Railroads . . . . .	262				
81	Van Vorhis . . . . .	104	Judiciary . . . . .	262				
82	Foulke . . . . .	105	Elections . . . . .	705				
83	Foulke . . . . .	105	Elections . . . . .	151				
84	Fletcher . . . . .	105	Judiciary . . . . .	{ 163 397	188	{ 235 891	891	Passed.
85	Duncan . . . . .	118	Judiciary . . . . .	398				
86	Fleming . . . . .	118	Roads . . . . .	421	580	725	725	Passed.
87	Rahm . . . . .	119	Ben. and Ref. Institutes . . . . .	{ 154 997	188	224	234	Passed.
88	Ristine . . . . .	120	County and Tp. Business . . . . .	{ 193 352	229	354	355	Passed.
89	Smith, of Jay . . . . .	121	Judiciary . . . . .	542				
90	Spann . . . . .	121	Military Affairs . . . . .	{ 303 417	349	448	496	Passed.
91	Voyles . . . . .	121	Ben. and Ref. Institutes . . . . .	705				
92	White . . . . .	121	Elections . . . . .	374				
93	Youche . . . . .	122	Railroads . . . . .	1018				
94	Bell . . . . .	122	Cans, Int. Im. and Sw'p L'ds . . . . .	320				
95	Davidson . . . . .	122	Temperance . . . . .	396				
96	Brown . . . . .	122	County and Tp. Business . . . . .					
97	Adkinson . . . . .	142	Roads . . . . .					



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98	Bell . . . . .	142	Judiciary . . . . .	( 219 423 525				
99	Benz . . . . .	142	Judiciary . . . . .	193	229			
100	Duncan . . . . .	142	Claims . . . . .	494				
101	Fletcher . . . . .	143	Agriculture . . . . .	533	713			
102	Johnston . . . . .	143	Judiciary . . . . .	( 262 339 444 397	430	449	450	Passed.
103	Johnson . . . . .	143	Judiciary . . . . .					
104	May, by request . . . . .	143	Roads . . . . .					
105	Ristine . . . . .	143	County and Tp. Business . . . . .	320	669	669	669	Passed.
106	Spann . . . . .	144	Judiciary . . . . .	493				
107	Van Vorhis . . . . .	144	Judiciary . . . . .	( 340 526	412	590	590	Passed.
108	Youche . . . . .	144	Judiciary . . . . .	461				
109	Van Vorhis . . . . .	144	Judiciary . . . . .	263				
110	Compton . . . . .	144	Roads . . . . .	496				
111	Bell . . . . .	145	Judiciary . . . . .	399				
112	Youche . . . . .	145	Judiciary . . . . .	193	230			
113	Duncan . . . . .	145	Judiciary . . . . .	( 193 356 398	230	357	357	Passed.
114	Adkinson . . . . .	154	Judiciary . . . . .	398	546	597	597	Passed.
115	Compton . . . . .	155	Roads . . . . .	317				
116	Fletcher . . . . .	155	Corporations . . . . .	464				
117	Lockridge . . . . .	155	Fees and Salaries . . . . .	221	257			
118	Macartney . . . . .	155	County and Tp. Business . . . . .	373				
119	May . . . . .	156	Corporations . . . . .	371	1002	1002	1002	Passed.
120	McClure . . . . .	156	Special Committee . . . . .	549	790	790	791	Passed.
121	McCulloch . . . . .	156	Corporations . . . . .	223	227	227	228	Passed.
122	Rahm . . . . .	156	Banks . . . . .	372				
123	Smith, of Jay . . . . .	157	Judiciary . . . . .	( 219 485 260				
124	Spann . . . . .	157	Judiciary . . . . .	( 1016				
125	Willard . . . . .	157	Rights and Privileges . . . . .	( 219 369				
126	Youche . . . . .	157	Judiciary . . . . .	264				
127	Foulke . . . . .	157	Education . . . . .	265				
128	Spann . . . . .	158	Railroads . . . . .					
129	Compton . . . . .	158	Roads . . . . .	497				
130	Compton . . . . .	159	Mines and Mining . . . . .	339	517	592	592	Passed.
131	Youche . . . . .	159	Organization of Courts . . . . .					
132	Adkinson . . . . .	161	Railroads . . . . .					
133	Foulke . . . . .	162	Railroads . . . . .	874				
134	Hilligass . . . . .	162	Corporations . . . . .	( 223 376 321	257	448	449	Passed.
135	Adkinson . . . . .	196	Judiciary . . . . .					
136	Davidson . . . . .	196	Roads . . . . .					
137	Fletcher . . . . .	196	Judiciary . . . . .	399				
138	Magee . . . . .	197	Railroads . . . . .	567	749	749	750	Passed.
139	Marvin . . . . .	197	Roads . . . . .	317	413	600	607	Passed.
140	Overstreet . . . . .	197	Judiciary . . . . .	522				
141	Richardson . . . . .	198	Judiciary . . . . .	398				
142	Smith, of Jay . . . . .	198	Elections . . . . .					
143	Spann . . . . .	198	Railroads . . . . .					
144	Van Vorhis . . . . .	198	Judiciary . . . . .	261				
145	White . . . . .	198	Education . . . . .	( 265 517	413	518	559	Passed.
146	Youche . . . . .	199	Judiciary . . . . .	525				
147	Hilligass . . . . .	199	Education . . . . .	242	413			
148	Brown . . . . .	199	Judiciary . . . . .	259				
149	Magee . . . . .	199	Canal, Int. Imp. & Swp. Lds . . . . .	374	862	862	862	Passed.
150	Lindley . . . . .	199	Special Com . . . . .	485				
151	Lockridge . . . . .	200	Judiciary . . . . .	( 319 597	558	709	709	Passed.
152	McCulloch . . . . .	200	Judiciary . . . . .	492				
153	Fletcher . . . . .	226	Prisons . . . . .	462				
154	Brown . . . . .	247	Judiciary . . . . .					
155	Bichowsky . . . . .	248			248	248	248	Passed.
156	Willard . . . . .	250	Special Committee . . . . .	308				
157	Bell . . . . .	252	Insurance . . . . .					
158	Null, by request . . . . .	252	Organization of Courts . . . . .	337				
159	Yancey . . . . .	253	Corporations . . . . .					
160	May . . . . .	253	Probate Bills . . . . .					



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161	Henry . . . . .	253	Organization of Courts . . . . .	542				
162	Henry . . . . .	254	Judiciary . . . . .	543	545	545	545	Passed.
163	White . . . . .	269	Education . . . . .	393	672			
164	Bundy . . . . .	269	Judiciary . . . . .	491				
165	Spann . . . . .	269	Judiciary . . . . .	398				
166	Graham . . . . .	269	Fees and Salaries . . . . .					
167	Marvin . . . . .	309	Organization of Courts . . . . .	399	512	582	583	Passed.
168	May . . . . .	310	Corporations . . . . .	563				
169	Graham . . . . .	310	Judiciary . . . . .	463				
170	Ristine . . . . .	310	Organization of Courts . . . . .	540	541	583	583	Passed.
171	Henry . . . . .	311	Judiciary . . . . .	549				
172	Youche . . . . .	330	Organization of Courts . . . . .	400				
173	Voyles . . . . .	332	Fees and Salaries . . . . .	369	710	711	711	Passed.
174	Compton . . . . .	333	Organization of Courts . . . . .	538	671	672	672	Passed.
175	Faulkner . . . . .	333	Judiciary . . . . .	491				
176	Fletcher . . . . .	333	Judiciary . . . . .	949				
177	May . . . . .	333	Organization of Courts . . . . .					
178	McCulloch . . . . .	333	Education . . . . .	749	816	816	816	Passed.
179	Brown . . . . .	342	Judiciary . . . . .					
180	Rahm . . . . .	342	Corporations . . . . .	371				
181	Bichowsky . . . . .	345	Agriculture . . . . .					
182	Brown . . . . .	345	Judiciary . . . . .	400				
183	Foulke . . . . .	346	Public Health . . . . .					
184	Campbell . . . . .	346	Education . . . . .	748				
185	Johnson . . . . .	347	Education . . . . .	394				
186	McIntosh . . . . .	348	Education . . . . .	394				
187	Rahm . . . . .	348	Roads . . . . .	396	898	898	899	Passed.
188	Voyles . . . . .	348	Judiciary . . . . .					
189	Willard . . . . .	348	Railroads . . . . .	400	871	871	871	Passed.
190	Foulke . . . . .	349	Roads . . . . .					
191	Campbell . . . . .	349	Education . . . . .	394				
192	Bundy . . . . .	365	Judiciary . . . . .	366	366	366	366	Passed.
193	Van Vorhis . . . . .	366	Judiciary . . . . .	391	392	392	392	Passed.
194	Campbell . . . . .	367	Education . . . . .	394				
195	Benz . . . . .	367	Roads . . . . .	395				
196	Bell . . . . .	377	Organization of Courts . . . . .	466	515	515	515	Passed.
197	Magee . . . . .	377			378	378	379	Passed.
198	Foulke . . . . .	380						
199	Bell . . . . .	386	Military Affairs . . . . .	537				
200	Benz . . . . .	386	Roads . . . . .		669	859	859	Passed.
201	Bichowsky . . . . .	386	Agriculture . . . . .					
202	Duncan . . . . .	387	Education . . . . .	747				
203	Foulke . . . . .	387	Benevolent Institutions . . . . .	496	509	509	509	Passed.
204	Foulke . . . . .	387	Fees and Salaries . . . . .					
205	Hilligass . . . . .	387	Roads . . . . .	690				
206	Johnson . . . . .	387	Education . . . . .	749	912	912	913	Passed.
207	Keiser . . . . .	387	Organization of Courts . . . . .	395	504	504	504	Passed.
208	Magee . . . . .	388	Corporations . . . . .	464				
209	Smith, of Del . . . . .	388	Judiciary . . . . .					
210	Van Vorhis . . . . .	388	Privileges . . . . .	921				
211	Voyles . . . . .	388	Roads . . . . .					
212	Yancey . . . . .	390	Education . . . . .	748				
213	Fleming . . . . .	401	Judiciary . . . . .					
214	Foulke . . . . .	401	Prisons . . . . .	495				
215	Ristine . . . . .	402	Roads . . . . .	494				
216	Foulke . . . . .	402	Prisons . . . . .					
217	Rahm . . . . .	407	Corporations . . . . .	464	903	903	904	Passed.
218	Willard . . . . .	408	Finance . . . . .					
219	Bell . . . . .	408	Special Committee . . . . .	424	424	424	424	Passed.
220	Bell, by request . . . . .	409	Judiciary . . . . .	493				
221	Willard . . . . .	409	Agriculture . . . . .					
222	Spann . . . . .	410	Canals and Swamp Lands . . . . .	781				
223	Spann . . . . .	410	Canals and Swamp Lands . . . . .					
224	Faulkner . . . . .	410	Rights and Privileges . . . . .	921				
225	Willard . . . . .	411	County and To. Business . . . . .					
226	Willard . . . . .	411	Rights and Privileges . . . . .	921				
227	Bundy . . . . .	415	Canals and Swamp Lands . . . . .	781				
228	Johnson . . . . .	416	Judiciary . . . . .	528				
229	Hilligass . . . . .	416	Judiciary . . . . .	536	865	865	866	Passed.
230	Magee . . . . .	416	Railroads . . . . .					
231	Smith, of Del . . . . .	416	Roads . . . . .					
232	Sayre . . . . .	416	Decedents' Estates . . . . .	485				



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233	Bell	417	Judiciary	527				
234	Benz	427	Org. of Courts					
235	Foulke	427	County and Tp. Business					
236	Hoover	428	Prisons	463	821	821	821	Passed.
237	Macartney	428	County and Tp. Business					
238	Magee	428	Corporations	798				
239	Null	428	Judiciary	527				
240	Voxles	428	Elections	706				
241	Bell	429	Insurance	1017				
242	Hilligass	429	Corporations	1013				
243	Bundy	429	Judiciary	493				
244	Van Vorhis	429	Judiciary	618	664	664	664	Passed.
245	Foulke	429	Temperance	1017				
246	Henry	441	Canals and Swamp Lands	781				
247	Campbell	441	Prisons	496	709	889	889	Passed.
248	Spanu	441	Judiciary					
249	Faulkner, by req.	463	Public Health	466				
250	Bell, by request	467	Corporations	701	701	870	870	Passed.
251	Hilligass	467	Canals and Swamp Lands	781				
252	Adkinson	467	Judiciary					
253	McClure	467	County and Tp. Business					
254	Ristine	468	Roads					
255	Johnson	468	Ben. and Reform. Institu.					
256	Willard	468	Federal Relations	920				
257	Graham	469	Ben. and Reform. Institu.					
258	Hoover	469	Corporations					
259	Keiser	469	Judiciary	492				
260	Ristine	469	County and Tp. Business	537	864	864	864	Passed.
261	Van Vorhis	469	Judiciary	717				
262	Bundy	485			499	505	506	Passed.
263	Di	501	Judiciary					
264	Di	501	Judiciary					
265	Di	501	Corporations					
266	Di	502	Judiciary					
267	Di	502	Judiciary	1013				
268	Di	503	Judiciary					
269	Di	503	Education					
270	Di	504	Corporations					
271	Di	507	Education					
272	Di	508	Ben. and Reform. Institu.					
273	Di	508	Judiciary		905	906	906	Passed.
274	Di	508	Education					
275	Di, by request	524	Special Committee	543	544	910	910	Passed.
276	Di	524	Special Committee					
277	Di	524	Fees and Salaries					
278	Di	525	Canals and Swamp Lands	603	867	867	867	Passed.
279	Di	550	Finance					
280	Smith, of Jay	684	Special Committee	909	917 995	925	995	Passed.
281	Johnson	656						
282	Null	691	Cong. Apportionment					
283	Bell	700			700	700	700	Passed.
284	Howard	702	Judiciary					
285	Youche	718			718	718	718	
286	Youche	721	Swamp Lands					
287	Bichowsky	732			733	733	733	Passed.
288	Foulke	781			781	781	781	Passed.
289	Youche	782			782	783 973	784 973	Passed.
290	Bundy	860						
291	Benz	900	Finance					
292	Fletcher	902			902	902	903	Passed.
293	Van Vorhis	938	Special Committee	945	946	946	946	Passed.
294	Van Vorhis	939			940	940	940	Passed.
295	Bell	999			999	999	999	Passed.



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Number.	First Reading.	To What Committee Referred.	Reported Back.	Second Reading.	Third Reading.	Vote on Passage.	Action.
	Page.		Page.	Page.	Page.	Page.	
1	15	Judiciary . . . . .		15	15	15	Passed.
118		Judiciary . . . . .		123	123	124	Passed.
148		Judiciary . . . . .	152	184	236	236	Passed.
150	163			164	164	165	Passed.
212	359	Organization of Courts . . . . .	393	453			Passed.
231	452	Organization of Courts . . . . .	541	1009	1009	1009	Passed.
	1009						
27	451	Benev. and Ref. Institutes . . . . .	661	661	662	662	Passed.
223	855	Decedents' Estates . . . . .	840	855	855	855	Passed.
5	662			663	663	663	Passed.
2	666						
3	619	Judiciary . . . . .					
10	666	Judiciary . . . . .					
302	514	Finance . . . . .	621	623	681	683	Passed.
			786				
13	666	Rights and Privileges . . . . .	833	834	831	334	Passed.
22	666			667	667	667	Passed.
30	872			872	872	872	Passed.
32	511	Organization of Courts . . . . .	542	542	579	579	Passed.
34	510			510	510	511	Passed.
53	619	Corporations . . . . .	797	1004	1004	1004	Passed.
			1004				
33	634						
66	644			645	645	645	Passed.
67	645			646	646	646	Passed.
74	660	Judiciary . . . . .					
133	640	Judiciary . . . . .	702	773	877	877	Passed.
408	701	Education . . . . .	749				Passed.
414	572			572	574	574	Passed.
381	650	Special Committee . . . . .	868	869	869	869	Passed.
51	733	Finance . . . . .	829	830	907	907	Passed.
52	695			695	695	695	Passed.
39							
375							
413	670			670	670	670	Passed.
108	698	Judiciary . . . . .	831	831	831	831	Passed.
419	647	Finance . . . . .	691	691	714	715	Passed.
329	694	Judiciary . . . . .	895	895	895	896	Passed.
	895						
461	720			720	720	720	Passed.
31	985			985	985	985	Passed.
29	817			817	817	818	Passed.
91	785	Special Committee . . . . .		939			
23							
4							
26							
38							
117	818			818	818	818	Passed.
48							
351	900	Swamp Lands . . . . .	907	900	900	908	Passed.
277	892			892	892	892	Passed.
107	822			822	822	822	Passed.
14	836	Judiciary . . . . .	1013				
333	893			893	893	893	Passed.
438	839			839	839	839	Passed.
286	933			933	933	933	Passed.
306	876			876	876	876	Passed.



Number.	First Reading.	To What Committee Referred.	Reported Back.	Second Reading.	Third Reading.	Vote on Passage.	Action.
	Page.		Page.	Page.	Page.	Page.	
198	837			837	837	838	Passed.
200	789			789	789	789	Passed.
285	823			823	823	823	Passed.
180							
346	873			873	873	873	Passed.
338							
462							
61	863			863	863	863	Passed.
464	941			941	941	941	Passed.
230	914			914	914	914	Passed.
420	996			996	996	996	Passed.
110							
369	894			894	894	894	Passed.
161	1001			1001	1001	1001	Passed.
55	969			969	969	969	Passed.
89							
88							
96							
94							
105	1005			1005	1005		
95							
81							
85							
224	923			923	923	923	Passed.
380	943			943	943	943	Passed.
256	911	Special Committee	919	919	920	920	Passed.
418	977			977	977	977	Passed.
460	934		{ 934	934	991	991	Passed.
			951				
366	915			915	915	915	Passed.
293	975			975			
313	1011			1011	1011	1011	Passed.
176	947			947	947	947	Passed.
227	974			974	974	974	Passed.
397	1003			1003	1003	1003	Passed.
359	949	Special Committee	964	949	964	964	Passed.
270	993			993	993	994	Passed.
65							
247							
226							
332	950			950	950	{ 950	Passed.
						1014	
372	986			986	986	986	Passed.
429	968			968	968	968	Passed.
457							
160	998			998	998	998	Passed.
280	1008			1008	1008	1008	Passed.
170	1010			1010	1010	1010	Passed.
149	1006			1006	1006	1006	Passed.







